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THE WINDING STAIR MOUNTAIN, OKLAHOMA WILDERNESS BILL—S. 2571

HEARING

BEFORE THE

SUBCOMMITTEE ON
CONSERVATION AND FORESTRY

OF THE

COMMITTEE ON AGRICULTURE,
NUTRITION, AND FORESTRY
UNITED STATES SENATE

ONE HUNDREDTH CONGRESS

SECOND SESSION

on

S. 2571

A BILL TO DESIGNATE CERTAIN NATIONAL FOREST SYSTEM LANDS IN THE STATE OF OKLAHOMA FOR INCLUSION IN THE NATIONAL WILDERNESS PRESERVATION SYSTEM, CREATE THE WINDING STAIR MOUNTAIN NATIONAL RECREATION AND WILDERNESS AREA, AND FOR OTHER PURPOSES

SEPTEMBER 7, 1988

Printed for the use of the Committee on Agriculture, Nutrition, and Forestry



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CONTENTS

Hearing held on: September 7, 1988..... Page 1

THE WINDING STAIR MOUNTAIN, OKLAHOMA WILDERNESS BILL—S. 2571

Fowler, Hon. Wyche, Jr., a U.S. Senator from Georgia.....	1
Boren, Hon. David L., a U.S. Senator from Oklahoma.....	1
Wilson, Hon. Pete, a U.S. Senator from California.....	8

CHRONOLOGICAL LIST OF WITNESSES

Nickles, Hon. Don, a U.S. Senator from Oklahoma.....	3
Prepared statement.....	5
Leonard, George M., Associate Chief, Forest Service, U.S. Department of Agriculture, Washington, DC, accompanied by Mike Curran, Forest Super- visor, Ouachita National Forest, Hot Springs, AR.....	8
Prepared statement.....	10
Supplemental statement, U.S. Department of Agriculture, concerning S. 2571.....	13
Definition of uneven-aged systems, Karl F. Wegner, 1984, "Forestry Handbook," John Wiley & Sons, pp. 419-20.....	16
Watkins, Hon. Wes, a Representative in Congress from the Third Congres- sional District, State of Oklahoma.....	24
Prepared statement.....	30
Photographs:	
Talimena Scenic Drive before clearcutting.....	42
Congressman Wes Watkins surveys clearcutting from Sugarloaf Vista.....	43
Sugarloaf Vista after clearcutting.....	44
Deadmon Vista after clearcutting—note the clearcut on the far ridge.....	45
Panorama Vista after clearcutting.....	46
Johnson, Beth, Southern Plains Regional Representative, Sierra Club, Dallas, TX.....	48
Prepared statement.....	53
Beech Creek—the Case for Wilderness:	
Background.....	58
Description.....	58
Wilderness Attributes.....	58
Suitability for Primitive Recreation.....	60
Other Considerations.....	60
Forest Service Objections.....	60
Conclusion.....	61
Kirby, Peter, Southeast Regional Director of the Wilderness Society, Atlanta, GA.....	62
Prepared statement.....	64
"Group Selection Silviculture in Eastern Mixed Hardwoods," by Leon S. Minckler, consultant on environmental forestry residing in Blacksburg, VA, "Forest Watch," October 1987.....	69
Beattie, Herbert S., director, Oklahoma Chapter, the Nature Conservancy, prepared statement.....	73
Robinson, Kent, public policy and program analyst, the National Forest Prod- ucts Association, Washington, DC.....	76
Prepared statement.....	78
White, Gene H., timberowner and operator, president, Burnett Lumber Co., Heavener, OK.....	82

IV

	Page
White, Gene H., timberowner and operator, president, Burnett Lumber Co., Heavener, OK—Continued	
Prepared statement	88
Dickerson, Larry, Oklahoma State Senator, Poteau, OK.....	102
Prepared statement	107
Glenn, Ron, Representative, Oklahoma House of Representatives, Heavener, OK	109
Prepared statement	114
Dedmon, Dwight, vice president, Poteau Chamber of Commerce, Poteau, OK ...	119
Prepared statement	122
Photograph of Talimena Scenic Drive	125

ADDITIONAL MATERIAL SUBMITTED FOR THE RECORD

Wilkerson, Dick, president, Poteau Chamber of Commerce, Poteau, OK, pre- pared statement.....	130
Johnson, Bill, executive director, Poteau Chamber of Commerce, Poteau, OK, prepared statement.....	134
Dennington, John R., president, Southeastern Oklahoma Sportsman's Associa- tion, prepared statement	138
Curtis, Benjamin J., attorney at law, Poteau, OK, letter of, dated Sep- tember 6, 1988, to Hon. David L. Boren, re: Winding Stair Mountain, Oklahoma Wilderness Bill S. 2571.....	141
Balentine, Audrey C., Le Flore County Wilderness Association, prepared statement.....	143
McMahon, J.P., vice president, Timberlands, Weyerhaeuser, letter of, dated September 8, 1988, to Hon. Wyche Fowler, Jr.....	146
Davis, James M., vice president, western exploration operations, letter of, dated September 23, 1988, to Hon. Wyche Fowler, Jr., with enclosed pre- pared statement of Atlantic Richfield Co., on S. 2571, proposed "Winding Stair Mountain Area Act"	149
S. 2571, a bill to designate certain National Forest System lands in the State of Oklahoma for inclusion in the National Wilderness Preservation System, create the Winding Stair Mountain National Recreation and Wilderness Area, and for other purposes, reprint of.....	152

THE WINDING STAIR MOUNTAIN, OKLAHOMA WILDERNESS BILL—S. 2571

WEDNESDAY, SEPTEMBER 7, 1988

U.S. SENATE,
SUBCOMMITTEE ON CONSERVATION AND FORESTRY OF THE
COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY,
Washington, DC.

The subcommittee met, pursuant to notice, at 2:15 p.m., in room SR-332, Russell Senate Office Building, Hon. Wyche Fowler, Jr. (chairman of the subcommittee) presiding.

Present or submitting a statement: Senators Fowler, Boren, and Wilson.

Also present: Senator Don Nickles and Representative Wes Watkins.

STATEMENT OF HON. WYCHE FOWLER, JR., A U.S. SENATOR FROM GEORGIA

Senator FOWLER. Ladies and gentlemen, we will begin. This is the Subcommittee on Conservation and Forestry of the Committee on Agriculture, Nutrition, and Forestry. We have a hearing today on the Winding Stair Mountain Oklahoma Wilderness bill. We have an impressive and thorough array of witnesses so I will spare my colleagues and those assembled from hearing a statement from me since we have two distinguished colleagues, cosponsors of this legislation, as our lead off witnesses. Welcome, Mr. Boren and Mr. Nickles. And David, if you want to begin.

STATEMENT OF HON. DAVID L. BOREN, A U.S. SENATOR FROM OKLAHOMA

Senator BOREN. Thank you very much, Mr. Chairman. First I want to thank you for holding this hearing and for allowing me to testify on behalf of Senate Bill 2571, which I have joined with Senator Nickles in sponsoring. This is a bill that provides for the Winding Stair Mountain National Recreation and Wilderness Area.

The bill makes several different designations within the Ouachita National Forest to set aside some of Oklahoma's natural gifts for the enjoyment of future generations. The bill attempts to do so by allowing for a wide variety of land usage in certain parts of the forest without ignoring the interests of many of the interested parties and groups.

Specifically, the bill designates the Black Fork Mountain Wilderness Area, the Upper Kiamichi River Wilderness Area, the Winding Stair Mountain National Recreation Area, the Indian Nations

National Scenic and Wildlife Area, the Robert S. Kerr Memorial Arboretum, Nature Center and Botanical Area, and the Beech Creek Botanical Area.

I truly believe that the Black Fork Mountain and Upper Kiamichi River Areas would make excellent additions to the National Wilderness Preservation System. As I have said before, we Oklahomans are proud of our State. We wish to share its unique natural features with the rest of the Nation.

The establishment of the Indian Nations National Scenic and Wildlife Area is a very important feature of this bill. This provision would protect the view along the beautiful Talimena Drive from the scars of clearcutting. This protection has been specifically requested by many local citizens.

Mr. Chairman, it's heartening to me, and I know it is to Senator Nickles as well, that people in this area have become so involved in this project and have shown and demonstrated such overwhelming support for it. We've spent millions of dollars in the past creating the Talimena Scenic Drive, and it would be a tragedy if because of the clearcutting in the area we would then destroy the very scenery that we have spent millions of dollars making it possible for people to view.

The Ouachita Forest consists of over 1.5 million acres, nearly a quarter of a million of these acres are in Oklahoma. The designations made in this bill total less than 100,000 acres, and are entirely within Le Flore County, Oklahoma.

Some people say the Forest Service brought this legislation upon itself. Whether or not that is true, it is a fact that for years the local citizens have been asking for relief from the Forest Service's practice of clearcutting, particularly in this area that is so highly visible from the Talimena Drive. And that is why Senator Nickles and I introduced this legislation to ensure that the Ouachita is managed for the interests of conservation, fish and wildlife, tourism and recreation, and economic development in addition to those of the timber industry.

Congressman Watkins, who represents southeastern Oklahoma, Third Congressional District, authored the companion bill, H.R. 4354, and has steered it through to final passage in the House. His efforts certainly should be commended. His task began over 2½ years ago with the field hearing in Le Flore County, and he has worked to forge a bill that serves the local citizens and the varying interests in the best possible manner.

I cannot overemphasize the importance of his contribution, the many hours, hundreds of hours that he has spent talking with interested parties in that area to hammer out a compromise proposal.

The two bills do have some differences. Perhaps the most important of these is the added protection for the Beech Creek Area provided by the House bill. This area contains one of the few existing stands of Beech trees west of the Mississippi River.

And I am confident that the Senate will see fit to move forward with this legislation as the House has done, and again, Mr. Chairman, I know with your busy schedule, it is not easy to hold these hearings, and I appreciate the fact that you would do so in such an expeditious fashion. I think that this is a proposal that if imple-

mented we will all take pride in it, as we think about what it is going to leave behind for future generations to enjoy.

Senator FOWLER. I thank you, Senator Boren. I appreciate your understanding and might ask you to help me with holding this hearing before too long.

Welcome our colleague, Senator Nickles, for any words that he might like.

**STATEMENT OF HON. DON NICKLES, A U.S. SENATOR FROM
OKLAHOMA**

Senator NICKLES. Mr. Chairman, thank you very much for holding this hearing and for the invitation to participate. I have a lengthy prepared statement, and I will ask that you insert it in the record. And I will be very brief and maybe summarize a couple of comments.

Senator FOWLER. Without objection.

Senator NICKLES. I am happy to sponsor this legislation along with Senator Boren. I, like Senator Boren, compliment Congressman Watkins for his efforts. He has worked on this for some time. We did not introduce an identical bill because we felt like some changes were necessary, and we made several changes to his original legislation.

Many of these changes were incorporated in the House passed bill. As a matter of fact, I think several changes were made to make the House bill, in at least this Senator's opinion, a better bill. I personally have had the pleasure of visiting this area and as Senator Boren mentioned, it is a beautiful part of our State.

I had the pleasure also of meeting with several citizens who have a great deal of expertise on the area who offered some insights, possible suggestions and improvements, and I think you will be hearing from some of those witnesses today. And I would hope, and I am sure, that the subcommittee will listen to some of the recommendations, and hopefully we can even make further improvements upon the House passed legislation.

Mr. Chairman, very quickly, there are several items in the bill that I think are very important. This is an area of the country which is beautiful. It is an area that I think can produce timber and lumber as well as provide for an area of recreation, an area of wilderness, an area of scenic view which is hard to be beat anywhere in the country.

I would hope that we would continue to be mindful of the various factions who have different interests in this area, and I think the legislation which we have introduced goes a long way toward meeting those concerns.

There are still a couple of things, Mr. Chairman, that I would like to emphasize, one of which would be in the Senate passed bill which Senator Boren and I have introduced. The proposal which we have calls for a local advisory board which I personally think is very important.

I think it is an improvement over the language that is called for in the House bill. I think it is a giant step in the right direction, and I hope that we would do so. Both bills provide for wilderness

areas, as the chairman is aware, and there is no real controversy concerning that section.

Also, we have a provision that makes it very clear that there be no restrictions, as well as no new restrictions, on hunting, fishing, or trapping. The House committee was somewhat ambiguous on that point, and we want to make sure that there is no provision that would place any restrictions on the hunting or fishing and trapping in that area.

Mr. Chairman, there are a couple of other things that I think are important. One deals with problems that some constituents brought up, particularly how we would handle potential disasters such as insect problems, and measures which the Secretary might use to prevent the spread of fire or insects or diseases in those areas.

Mr. Chairman, we are working on some language that would be very clear in delineating the authority to be able to handle those problems before they become bigger problems, and I think this is important and would like to see that it becomes part of this legislation as well.

Again, Mr. Chairman, I do not want to echo everything that Senator Boren has said. We have worked on this legislation for some time. I am hopeful also, noting the panelists, that we have several outstanding people who would be making representations before the subcommittee today.

But I would hope that we would be very clear in questioning our panelists and others to make sure that we do not do anything that would seriously jeopardize the economic health of the lumber industry. One of our panelists, Gene White, from Oklahoma, has some concerns along those lines, and I would hope that we would hear those concerns and address them as well.

The timber industry is an important industry in the State of Oklahoma as it is in Georgia and other States, as well. I happen to think that we can, again, balance the concerns of all interested parties, and really enhance a treasure that we have in the State in Oklahoma to make it even better for future generations. I thank you for your cooperation.

Senator FOWLER. Thank you, Senator Nickles.

[The prepared statement of Senator Nickles follows:]

U.S. SENATOR

Don Nickles

OKLAHOMA

September 7, 1988

STATEMENT OF SENATOR DON NICKLES
BEFORE THE SENATE SUBCOMMITTEE ON CONSERVATION AND FORESTRY
ON S. 2571, A BILL TO ESTABLISH THE WINDING STAIR MOUNTAIN
NATIONAL RECREATION AND WILDERNESS AREA IN LEFLORE COUNTY, OKLAHOMA

Mr. Chairman, I appreciate this opportunity to come before the Subcommittee on Conservation and Forestry and voice my support for S. 2571 which I introduced with my colleague from Oklahoma, Senator David Boren, on June 27, 1988.

As you know, Mr. Chairman, we seldom have opportunity to consider legislation with the broad support this bill has generated. This support can be evidenced by the success of this bill's companion, H.R. 4354, which was introduced on March 31 by Congressman Wes Watkins. On August 9, 1988, the House passed H.R. 4354 just four months after it was introduced. During that time, both the House Interior and the House Agriculture Committees held hearings and marked up the bill. Legislation with this degree of support should move quickly through the Senate, as it did in the House.

S. 2571 is based on H.R. 4354, but it incorporates several changes brought to our attention by local citizens. I feel these changes were important to strengthen the bill, and I have been encouraged by the results of the House mark-ups during which several of the changes I supported were made to H.R. 4354.

1

Mr. Chairman, the Ouachita National Forest is located mainly in Arkansas, with two areas extending into LeFlore and McCurtain Counties in Oklahoma. S. 2571 creates several special area designations within the forest in LeFlore County and establishes a local advisory committee to assist the Secretary of Agriculture in developing and implementing an amendment to the forest management plan for those area designations, and to promote tourism and recreation in LeFlore County.

S. 2571 designates two portions of the forest consisting of nearly 14,000 acres as national wilderness areas. The Black Fork Mountain Wilderness Area and the Upper Kiamichi River Wilderness Area are to be preserved in their current state to be enjoyed for generations to come.

The bill also designates 25,445 acres as the Winding Stair Mountain National Recreation Area, which is to be managed to promote wildlife, recreation and scenic values.

The need to protect two areas which contain many unique plant species and vegetation has been addressed by establishing the Robert S. Kerr Memorial Arboretum, Nature Center and Botanical Area, and the Beech Creek Botanical Area.

Finally, the Indian Nations National Scenic and Wildlife Area will be established to protect the scenic views from Talimena Drive and Holson Valley Road. These beautiful lands, now scarred by clear-cuts, will be managed to promote their scenic and wildlife potential.

S. 2571 contains some important differences from H.R. 4354 as passed by the House, although the basic concepts are the same. These changes in the Senate bill include:

- increasing local input through establishment of a broad-based advisory committee representing local interests;
- restoring and maintaining the natural diversity of forest species within the National Recreation and Wilderness Areas; and
- protecting the Ouachita National Trail from being clearcut.

Mr. Chairman, these changes illustrate important differences between S. 2571 and H.R. 4354. These changes were constructed by and enjoy the support of local citizens.

Other distinctions between the bills were addressed by the House during the mark-ups of H.R. 4354. I was originally concerned with the limited access to the Black Fork Mountain Wilderness Area. During the House committee mark-ups, 65 acres were added to the Black Fork area to provide for increased access. I fully support this revision, and hope that it will be incorporated into the final version of the legislation. Additionally, the House committees eliminated a provision which could have created new authority to restrict hunting, fishing and trapping. S. 2571 does not contain that provision.

Basic to the bill I introduced, Mr. Chairman, is a provision which instructs the Secretary to appoint an advisory committee composed of local representatives equally divided among conservation, timber, fish and wildlife, tourism and recreation, and economic development interests. This broad-based committee would provide the Secretary with information and recommendations regarding the development and implementation of changes brought about by this legislation. I feel this provision is vital to successfully promoting and increasing scenic, wildlife, recreation, timber, and conservation priorities within the Ouachita Forest.

Although H.R. 4354 provides for a "local advisory group" to assist in the development of the tourism and recreation amendment to the forest management plan, the bill does not provide for local input on the development and implementation of other changes brought about by the special area designations. Additionally, the House Interior Committee report on H.R. 4354 suggests limiting the persons eligible to participate in the advisory group to the Redark Development Authority, the Kiamichi Economic Development District of Oklahoma, and the Kiamichi Country advisory group.

Mr. Chairman, the input of all interested parties with regard to the development and implementation of the amendment to the forest management plan is essential to creating a successful bill. Limiting the local committee's membership and participation can only serve to dampen its potential to express the will of the local citizens. Therefore, as this legislation progresses, I would hope that a broad-based advisory committee, as is established in S. 2571, is incorporated into the final legislation.

Local citizens I talked to while visiting the area shared their concerns with me they would not be able to prevent potential disasters such as insect infestation from occurring in the wilderness areas.

S. 2571 states that nothing in the Act shall preclude such measures which the Secretary deems necessary in the event of fire, insects or disease in any of the special area designations. H.R. 4354 as passed by the House, however, limits the Secretary's authority to the recreation area, the national scenic and wildlife areas, and the botanical areas. Under H.R. 4354, the wilderness areas would be subject to the Wilderness Act of 1964 which set forth the original guidelines for the management of wilderness areas.

Past experiences indicate that the Secretary's authority to utilize some control methods may be limited under the wilderness act language due to interference by environmental groups. Therefore, I would like to see the wilderness areas added to the House-passed fire, insect and disease management section. Additionally, the Secretary should be authorized to undertake necessary measures to prevent the spread of fire, insects or disease to adjacent lands. I believe report language should note the measures available to the Secretary would include, but not be limited to, the use of motorized vehicles, mechanical equipment, aerial spraying, chemicals, and controlled burning.

As the committee proceeds to marking-up S. 2571, it is my hope that they consider the work the House committees have done on H.R. 4354. If amended to include the broad-based local advisory committee and stronger fire, insect and disease control language as I am recommending, I would be satisfied with the House language. I intend to work closely with the committee as they consider these and other issues.

Again, I thank the chairman and committee for allowing me to testify today, and I urge your favorable and prompt consideration of S. 2571.

Senator FOWLER. Congressman Watkins did not come in, did he?

Senator BOREN. He is on his way. He had to go back over to the House for a vote, and he said he would be a little bit late, but that he would be here.

Senator FOWLER. My former colleague in the House and good friend, Wes Watkins, I wanted him to hear all those kind words you were laying on. Glad to have Senator Wilson from California join us.

STATEMENT OF HON. PETE WILSON, A U.S. SENATOR FROM CALIFORNIA

Senator WILSON. Thank you, Mr. Chairman. I gather that there is a unanimity of opinion between the two distinguished Senators from Oklahoma on this matter. That is about as much as I need to know. [Laughter.]

Senator FOWLER. That is all you know and all you need to know.

Senator BOREN. Mr. Chairman, I thank the Senator from California for his questions. [Laughter.]

Senator WILSON. They are of the usual penetrating variety you have come to expect.

Senator FOWLER. We will let Congressman Watkins, of course, testify when he comes, but our first panel is Mr. George Leonard, Associate Chief of the Forest Service and Mr. Mike Curran, Supervisor of the Forest Service in Hot Springs, Arkansas.

Senator WILSON. Meaning no disrespect, Mr. Chairman, I am going to leave my proxy with you or Senator Boren, Senator Nickles not being privileged to be a member of this committee. If you need a quorum, I will be in my office.

Senator FOWLER. Thank you.

Senator BOREN. Thank you.

Senator FOWLER. Welcome, gentlemen. You may proceed, and we, of course, will be glad to have you summarize your testimony and submit any prepared statements you would like for the record.

STATEMENT OF GEORGE M. LEONARD, ASSOCIATE CHIEF, FOREST SERVICE, U.S. DEPARTMENT OF AGRICULTURE, WASHINGTON, DC, ACCOMPANIED BY MIKE CURRAN, FOREST SUPERVISOR, OUACHITA NATIONAL FOREST, HOT SPRINGS, AR

Mr. LEONARD. I will do that.

Mr. Chairman, we recognize that the Ouachita National Forest is an important asset to the people of Oklahoma and Arkansas as well as to the people of the Nation. The Ouachita is the only National Forest in Oklahoma. It provides that State with a wide variety of resources: timber, recreation, wildlife, minerals, a good many important resources to that State.

The people of Oklahoma, I think as illustrated by this bill, and the Forest Service recognize that there are a number of very special places within the Ouachita National Forest, places that are important to Oklahomans, and that are, again, important to the people of the whole Nation.

And we are pleased, therefore, to support the designation of a number of these areas as provided in S. 2571. We support designating the two wilderness areas of nearly 14,000 acres and a national

recreation area of over 26,400 acres, and two botanical areas totaling over 8,400 acres on the Ouachita. Designation would highlight these special resources for present and future management.

We do, however, oppose certain features of this bill. Specifically, designation of the National Scenic and Wildlife Area, prescriptive language relating to timber management, and the establishment of a special planning process.

We understand the concerns that have generated the interest in limiting clearcutting and uneven-aged management on the special management areas and on the Ouachita as a whole. However, we believe we can most effectively meet the objectives that the sponsors of this bill want to achieve if we have the full tool kit of silvicultural treatments available to us. Even though we would expect, particularly in these special areas, to use predominantly uneven-aged management techniques. For example, in the area visible from Talimena Drive.

But the fact is that we have a variety of stand conditions on the Ouachita National Forest, each of which responds to cutting in different fashions, and we may very well find that strict application of uneven-aged management will not produce the type of results we want in particular stands. And it may be very desirable to have the variety of silvicultural systems available, even though we would put substantial emphasis on uneven-aged management. And where we would apply even-aged management techniques we would use well established landscape management techniques to minimize the visual effects on the view from the Talimena Drive and other areas of interest.

Should you elect to go ahead, we would strongly recommend that you utilize terminology such as the definition of uneven-aged management as developed by the professions. We recommend using the definition from the Society of American Foresters because that is well understood by professional foresters and can be implemented without disagreement.

One example of our concern, for example, is in the two botanical areas, where no timber harvesting is permitted at all. That would cripple our ability to deal with certain types of insect and disease problems in those areas. Even though we would recognize that you did not intend to have a regular harvest there, we do need some flexibility because timber harvesting is the only effective tool that we have in dealing with Southern Pine Bark Beetle.

We certainly accept the idea of local advisory boards. In fact, we are encouraging our Forest Supervisors around the country to appoint those boards to help them get a better feel of the desire of the community for management of that area.

Mr. Chairman, I think I would summarize by saying we support virtually all of the special designations proposed by this legislation, but we do have concerns about the prescriptive language that would prevent us from doing things which we think we might need to do to achieve the basic land management objectives that are being sought.

[The prepared statement, supplemental statement concerning S. 2571, and the definition of uneven-aged systems of Mr. Leonard follow:]

STATEMENT OF GEORGE M. LEONARD, ASSOCIATE CHIEF, FOREST SERVICE
UNITED STATES DEPARTMENT OF AGRICULTURE

Mr. Chairman, members of the Committee, thank you for the opportunity to offer the Department of Agriculture's views on S. 2571.

We support designating nearly 14,000 acres of wilderness, a National Recreation Area of over 26,400 acres, and two botanical areas totaling over 8,400 acres on the Ouachita National Forest in the State of Oklahoma. Designation would highlight the special resources and the present and future management of these areas.

We do, however, oppose other provisions of the bill, specifically designation of the National Scenic and Wildlife Area, prescriptive language related to timber management, and establishment of another planning process that deviates from present Forest Planning requirements. Some of the prescriptive language, if enacted, would unduly constrain our ability to manage the Forest to provide the optimum mix of resource values and uses.

The Ouachita is the only National Forest in Oklahoma. It provides a variety of uses and resources to the people of the State and region. We have, in the Forest planning process, considered many of the issues addressed by this bill. The Forest Land and Resources Management Plan, completed April 1, 1986, provides the basis for many of our recommendations concerning S. 2571.

Section 5 contains "release language" intended to release areas not designated as wilderness for multiple uses other than wilderness. This language should be updated to reflect that the Ouachita Forest Plan provides the background for congressional consideration rather than RARE II. We recommend that the Subcommittee amend S. 2571 by using the updated release language provided in our Supplemental Statement.

Sections 8, 11, and 13 all contain very specific prescriptive language relating to timber management for the National Recreation Area, the National Scenic and Wildlife Area, and the remainder of the Ouachita National Forest in Oklahoma. We endorse the stated objectives for these areas, however, we strongly oppose legislated prescriptions for management, particularly for general forest areas. We believe prescriptions can and should be developed in the Forest planning process.

The Forest planning process provides the opportunity to re-examine and revise direction for each Forest every 10-15 years in light of changing conditions, public expectations, and resource demands. Prior to such revision, the amendment process may be used to reflect needed adjustments. Such an amendment is now being developed on the Forest. This amendment provides a timely opportunity to incorporate the necessary timber management prescriptions into the plan. It is important that the Forest Service retain the flexibility to adjust management prescriptions through the planning process. Adjustments will be needed over time based on public needs, experience, and scientific knowledge. If the prescriptions in S. 2571 were to become law, we would be required to come back to Congress in the future to implement new technology, or to reflect changing conditions.

Section 9 contains conflicting provisions regarding vegetative manipulation and timber harvest. We need the flexibility to manage the vegetation--including the timber--to

protect and enhance sensitive plant communities. We recommend that this section be deleted.

Section 11 would establish the Indian Nations National Scenic and Wildlife Area, which would be managed principally for aesthetics and wildlife. The Oklahoma Department of Wildlife Conservation acquired much of this area in 1955 for a wildlife refuge, and later sold it to the Federal government under a cooperative agreement to further the purposes of a deer restoration program.

We recommend this area not be designated. With an amendment to the Forest Plan, we intend to incorporate additional direction to emphasize management of the wildlife habitat and protection of the natural beauty of the area. We can, utilizing the National Forest Visual Management System, accomplish the objectives of providing a diverse wildlife habitat and eliminating the visual impact of clearcuts. And where unevenaged management will not meet scenic objectives, we will use unevenaged management.

While we oppose prescriptive management language, S. 2571 contains the term "unevenaged management" several times and we wish to clarify its definition for the purposes of the Committee report, if so desired. A definition of uneven-aged systems from the Foresters Handbook, edited for the Society of American Foresters is included in our Supplemental Statement.

Furthermore, language in Section 11 of S.2571 which prescribes unevenage management would require the cancellation of existing timber sale contracts within the proposed Indian Nations Scenic Area. Cancellation of these contracts could lead to costly appeals and claims from parties holding the contracts and is not necessary to protect the special values of the area. The majority of these contracts are being harvested under seed tree cutting prescriptions. This method of cutting leaves a cover of timber on the site, but is an evenage method of timber management.

We support section 12 that would require the Secretary to establish a special advisory committee, composed of local representatives, to assist in providing recommendations to the Secretary of Agriculture regarding the operation of the Ouachita National Forest in LeFlore County.

We object to an additional appropriation authorization for the purposes of S. 2571.

We strongly object to subsection 14(d) of S. 2571 which raises a substantial constitutional question. That subsection purports to "direct" the Secretary of Agriculture to enter into a cooperative agreement with the Oklahoma Department of Tourism and Recreation to assist in the preparation of an amendment to the Ouachita Forest Plan to promote tourism and outdoor recreation.

To the extent the "cooperative agreement" were construed to confer upon Oklahoma state officials authority to execute federal law, subsection 14(d) would raise a substantial question under the appointments clause of the Constitution, art. II, sec. II, cl.2. The Supreme Court has held that individuals who exercise "significant authority pursuant to the laws of the United States are "Officers of the United States" who must be appointed in the manner prescribed by the appointments clause. State officials referenced in subsection 14(d), however, are not appointed in the manner required by the appointments clause.

However, we support a cooperative agreement to ensure the active involvement of the Oklahoma Department of Tourism and

Recreation along with other interested parties in the planning and development of tourism and outdoor recreation programs and facilities.

We also oppose the special authorization for additional land acquisition because sufficient authority exists to acquire land by exchange, donation or purchase. Furthermore, we currently manage an adequate land base to accomplish the bill's objective.

In summary, we support designation of the wildernesses, the National Recreation Area, and the botanical areas. We recommend that S. 2571 be amended to reflect the concerns we have mentioned, as well as some minor concerns documented in our Supplemental Statement.

Mr. Chairman, we will manage the Ouachita National Forest in a manner that reflects its very special values as highlighted in this bill. This concludes my testimony. I would be pleased to answer any questions you may have.

Supplemental statement, U.S. Department of Agriculture, concerning S. 2571 follows:

SUPPLEMENTAL STATEMENT
UNITED STATES DEPARTMENT OF AGRICULTURE
CONCERNING S. 2571

"WINDING STAIR MOUNTAIN NATIONAL RECREATION AND WILDERNESS AREA ACT"

SECTION 5:

Delete Section 5 in its entirety and insert the following in lieu thereof:

"Sec. 5.(a) The Congress finds that--

(1) the Land and Resource Management Plan and associated Environmental Impact Statement (hereinafter Land and Resource Management Plan) for the Ouachita National Forest in the State of Oklahoma have been completed as required by section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974, as amended by the National Forest Management Act of 1976;

(2) the Department of Agriculture, with substantial public input, has reviewed the wilderness potential of all National Forest System lands on the Ouachita National Forest; and

(3) the Congress has made its own examination of National Forest System roadless areas in the State of Oklahoma and of the environmental impacts associated with alternative allocations of such areas.

(b) On the basis of such review, the Congress hereby determines and directs that--

(1) without passing on the question of the legal and factual sufficiency of the Land and Resource Management Plan identified above, the wilderness evaluation and environmental disclosure regarding wilderness evaluation for roadless lands in the Ouachita Land and Resource Management Plan identified above shall not be subject to judicial review;

(2) with respect to the National Forest System lands in the State of Oklahoma which were reviewed by the Department of Agriculture in the Ouachita Land and Resource Management Plan, that such review shall be deemed for the purposes of the initial Land and Resource Management Plan required for such lands by the Forest and Rangeland Renewable Resources Planning Act of 1974, as amended by the National Forest Management Act of 1976, to be an adequate consideration of the suitability of such lands for inclusion in the National Wilderness Preservation System and the Department of Agriculture shall not be required to review the wilderness option prior to the revision when the plans are revised, which revisions will ordinarily occur on a ten-year cycle, or at least every fifteen years, unless prior to such time the Secretary finds that conditions in a unit have significantly changed;

(3) those areas in the State of Oklahoma referred to in subparagraph (2) of this subsection which were not designated as wilderness or for special management pursuant to sections 8 and 9 of this Act shall be managed for multiple use in accordance with Land and Resource Management Plans pursuant to section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974, as amended by the National Forest

Management Act of 1976: Provided, That such areas need not be managed for the purpose of protecting their suitability for wilderness designation prior to or during revision of the initial Land and Resource Management Plan;

(4) in the event that revised Land and Resource Management Plans in the State of Oklahoma are approved pursuant to section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974, as amended by the National Forest Management Act of 1976, and other applicable law, areas not recommended for wilderness designation unless otherwise designated by this Act need not be managed for the purpose of protecting their suitability for wilderness designation prior to or during revision of such plans, and areas recommended for wilderness designation shall be managed for the purpose of protecting their suitability for wilderness designation as may be required by the Forest and Rangeland Renewable Resources Planning Act of 1974 as amended by the National Forest Management Act of 1976, and other applicable law; and

(5) unless expressly authorized by Congress, the Department of Agriculture shall not conduct any further statewide roadless area review and evaluation of National Forest System lands in the State of Oklahoma for the purpose of determining their suitability for inclusion in the National Wilderness Preservation System.

(c) As used in this section, and as provided in section 6 of the Forest and Rangeland Renewable Resources Planning Act of 1974, as amended by the National Forest Management Act of 1976, the term "revision" shall not include an amendment to a plan.

(d) The provisions of this section shall also apply to those National Forest System roadless lands in the State of Oklahoma which are less than five thousand acres in size."

SECTION 7:

To assure that the Secretary has adequate authority to take whatever measures are determined necessary to provide for public safety, add the following at the end of the sentence:

"or to provide for public health and safety."

SECTION 9:

Delete the last sentence in this Section. Vegetative management will be necessary to protect and enhance the sensitive plant communities in the botanical areas. The first paragraph of the Section would provide the appropriate direction and authority.

SECTION 11:

Delete this Section. The Forest Plan is presently being amended to provide direction to eliminate the adverse impact of clearcutting in the viewshed.

SECTION 13:

Delete this Section. In order to facilitate periodic review and any necessary adjustment, management prescriptions should be in the Forest Plan rather than in law.

SECTION 14:

Delete paragraph (c). The Forest Service has adequate appropriation authority to budget for and implement the direction that would be contained in any Forest Plan amendment.

SECTION 18:

Delete this section. The Secretary already has sufficient authority to acquire lands and interests as proposed in the bill.

Definition of uneven-aged systems follows:

Definition of uneven-aged systems

Karl F. Wegner. 1984. Forestry Handbook. John Wiley & Sons.
p. 419-20

Uneven-aged systems - the stands created or maintained include three or more distinctly different age classes. Stands with two age classes are ordinarily not regarded as uneven-aged because the condition tends to be a temporary one likely to be identifiable with the shelterwood or seed tree methods. Since virtually all trees regenerate after some sort of disturbance and grow in even-aged aggregations most of their lives, the concept of the uneven-aged stand is really a device of convenience for administrative and scientific purposes.

The definition of "stand" becomes a crucial but elusive consideration in determining how large an even-aged aggregation should be before it is called a separate stand. This semantic dilemma can be solved by setting the minimum size of an even-aged stand equal to the minimum mapping unit on forest maps used in administration. A given forest might have many even-aged stands if set up for intensive management, or a few large uneven-aged stands if it is not feasible to designate small stands.

(i) Selection method - any high-forest or system designed to create or

maintain uneven-aged stands. Such systems usually remove old trees in

groups or in strips wide enough to allow new trees to start and remain free

to grow in height. It can also be done by removing large individuals in

the single-tree selection method. In the latter cases, success usually

depends on progressively enlarging the openings through subsequent

cuttings. Under the selection system, the stand always has some relatively

old trees. New regeneration is established by periodic partial cuttings.

The method requires regular entries into the indefinite future. Some of

the cuttings may be intermediate in the immature age classes rather than

true regeneration cuttings.

The arrangement of age classes in the selection method may be such that the stand becomes a self-contained sustained-yield unit; yet, it does not have to be, provided that at least three distinct age classes are maintained. One practical way of developing the stand as a kind of sustained-yield unit; yet, it does not have to be, provided that at least three distinct age classes are maintained. One practical way of developing the stand as a kind of sustained-yield unit is to cut so that the distribution of diameter conforms to some predetermined J-shaped curve. However, it should be noted that this kind of diameter-distribution curve applies only if the trees are all of the same species. Similar diameter distributions can be found in some even-aged, mixed stands.

It must be stressed that "selective cutting" is a term so corrupted in use that it has become a descriptor of any sort of partial cutting. It is not a technical forestry term.

Some forms of selection management include one of the attributes of shelterwood cutting, especially irregular shelterwood cutting, in that advance-growth regeneration is established in parts of the stand. Also, the tendency of any small even-aged group to expand when adjacent groups are harvested may confuse even the trained observer.

Consider the uneven-aged stand as being a simple collection of minute even-aged units too small for administrative delineation. The best standard is the requirement that selection cutting be that which maintains or creates stands that have three or more classes. For administrative convenience, it is probably best to assign borderline cases to the even-aged condition.

Senator FOWLER. Let me ask you one question. I do not know the territory so I am asking blind. But I know as Senator Boren testified, there are some differences in the House bill. Mr. Watkins includes the Beech Creek area for wilderness designation, and apparently there are timber questions relating to that. What is the Service support including Beech Creek into the wilderness area?

Mr. LEONARD. Beech Creek is proposed in this legislation as a botanical area, and we support that designation.

Senator FOWLER. As opposed to putting it in the wilderness?

Mr. LEONARD. Yes.

Senator FOWLER. Giving a wilderness designation.

Senator NICKLES. Would the chairman yield? I think, and we might ask staff, but I think we ended up—what the House ended up doing we are pretty much in agreement with. I think there are about 400 acres that would be classified as botanical and then what—6,600—something like that—that would be scenic. So there would be restrictions. You could do cutting, but not clearcutting.

Senator BOREN. But it would not be wilderness, though.

Mr. LEONARD. Right.

Senator NICKLES. There would not be wilderness in the Beech Creek area.

Senator FOWLER. But the sponsors in the House and the Senate on that problem has been worked out.

Senator BOREN. I think we have pretty well worked that out so we would be of the same view as the way the House finally enacted it.

Senator NICKLES. The House passed it, though not as introduced. If you have a problem with it, let us know. I might, Mr. Chairman, if I could ask a question?

Senator FOWLER. Please.

Senator NICKLES. I was hearing you say that in the botanical areas, you felt like you needed some—did I hear you say that you had no ability to do any harvesting?

Mr. LEONARD. That was my reading of the bill, if I can find the section I was referring to.

Senator NICKLES. I thought you could do some—

Mr. LEONARD. Yes. I am looking at section 9, subparagraph (4) on the bottom of page 13 of the bill where it says "the Secretary shall administer the botanical areas in accordance with the laws, rules, and regulations." And over on the next page it says, "Timber harvesting of any kind shall be prohibited."

Senator NICKLES. OK. You can do it for trails.

Mr. LEONARD. We can cut areas for trails, but for example, if we have an insect infested area, I would read that as precluding us from harvesting timber.

Senator NICKLES. And under the botanical areas, which you are under, you are talking about 400 acres that would be in the Beech Creek area and in the Robert S. Kerr. Do you have the ability to spray in those areas?

Mr. LEONARD. I do not see anything to preclude us from that. From a practical matter, though, you have to cut the trees down to spray them.

Senator NICKLES. To get rid of the beetle?

Mr. LEONARD. To get rid of the beetle, yes.

Senator NICKLES. OK. You also mentioned one other thing. I heard you saying—correct me if I am wrong—but you are wanting some additional flexibility in the management in all the areas or in the areas that we cover by the scenic?

Mr. LEONARD. In the areas that are covered by the specific prescriptions, primarily the Indian Nations Scenic Area where you prescribe uneven-aged management. And there will almost certainly over the long term be circumstances when the combination of environmental effects, soil conditions, and what not will preclude you from getting regeneration through an uneven-aged management regime.

Senator NICKLES. So you need to do some clear—

Mr. LEONARD. We need some maybe clearcutting, maybe shelterwood or seed tree cutting. Again, we do not object to the general direction to manage that primarily on an uneven-aged basis. But we do need the flexibility on a stand-by-stand basis to utilize other techniques if it is necessary to achieve the objectives you are trying to reach on that stand, which is basically, as I understand it, to maintain that area as a backdrop from the scenic drive and to achieve wildlife management objectives.

If you are going to meet both of those directives, we need to provide some flexibility for our people to use the whole tool kit even though we recognize that you do not want the square clearcuts to be repeated that are now of concern out there.

Senator NICKLES. I think Mr. Curran is wanting to add something here.

Mr. CURRAN. Well, I think we have the flexibility to utilize openings if they are not seen from the scenic drive, but we do not have the flexibility to use seed tree or shelterwood. And we feel that if we can utilize seed tree or shelterwood and still not create an impact, a visual impact, then we ought to have that flexibility.

Senator BOREN. I understand that we did have this provision originally in talking about a 40 acre limitation outside the designated areas, and I think certainly we are willing to make some changes to allow the flexibility outside the designated areas.

But now in terms of the practice that has gone on previously with the clearcutting that we have heard so much about and the visual impact that it has had, this is something that got into in that area of the State quite a lot when I was Governor because we came up with some voluntary standards on company owned land.

We came up with some voluntary standards for monitoring that were to have been maintained in terms of shelterbelts and not cutting on slopes of certain steepness, leaving belts along stream banks to prevent erosion, road construction, and other standards that over time have been more or less not followed. And we at that time were maintaining a very close watch. We had a special hydrologist team that was monitoring sedimentation and stream beds and so on.

And over a period of time, we have become overly lax, I think, in the State keeping up with it. But I understand that when Chief Robertson testified before the House committee on this legislation that he indicated, to use his words, that the clearcutting may have gone too far in some of the areas obviously visible from the Tallima Drive.

Mr. LEONARD. I think I can say that the Chief is personally embarrassed by some of the cutting that was done in that area, his old Ranger District. As a young forester, he was a ranger there. And he is embarrassed by the lack of sensitivity to the scenic values that are associated with that area.

Senator NICKLES. What were the size of some of those cuts?

Mr. CURRAN. Well, they were 80 acres or less, and in some cases there were a few larger openings. I believe we had a tornado go through there that tied a couple of them together, but generally they were 80 acres or less, which is large for an area like that.

Senator BOREN. So the two of you would agree that there has been some clearcutting in the past that has gone along on the Drive area that simply should not have happened.

Mr. LEONARD. Inappropriate, absolutely.

Senator NICKLES. Mr. Chairman, could I ask an additional question here? You are asking for flexibility, and if you look at page 10 in the bill, do you think this is adequate, or do you need additional authority?

Section 7 on page 10 basically says "the Secretary, in his discretion, deems necessary in the event of fire, or infestation of insects or disease," that would include the botanical areas and so on. Would that be enough to give you flexibility if you have some problems, or are you looking for a broader scope than that?

Mr. LEONARD. I frankly would like to see something a little broader so that if we have made several entries with the intent of cutting to get regeneration, and you do not get the regeneration we can regenerate the area. Even though there has not been a fire or insect attack or anything, we need the ability to open that stand up enough through a shelterwood cut, for example, to create the conditions on the ground that would be favorable to regeneration.

Senator BOREN. That would need to be language that we would work out, if we could work out something along that line, that was clearly constrained so that it did not allow for any kind of a normal harvesting of timber in the sense that it has gone on elsewhere.

Mr. LEONARD. That is right. We certainly understand the intent of this legislation is to say that this is a special area, and it is to be treated specially.

Senator BOREN. Right.

Mr. LEONARD. But all we are asking for is give us that direction to treat it specially, but let us have the use of the tools that we can then achieve the objectives that we are trying to seek. We would be pleased to have our staff work with your staff and committee staff to achieve that end.

Senator NICKLES. I would appreciate that. Let me ask a question somewhat related, and again I am thinking of a future witness' testimony. He is going to say, or I think we will hear testimony that will say this bill has the effect of basically ending the timber industry in Le Flore County. I do not want that to happen. I am speaking for myself, maybe not for all concerned.

Do you think that will happen?

Mr. CURRAN. I do not think it will eliminate the timber industry in Le Flore County. I think on the basis of the bill there will be a reduction.

Senator NICKLES. How significant?

Mr. CURRAN. Well, our calculations indicate about a third, 30 percent reduction.

Senator NICKLES. In production?

Mr. CURRAN. Yes.

Mr. LEONARD. From the areas affected by the bill, not from the total county.

Senator BOREN. Not from the total county. Because the total county—how much? As I recall, we have just in that forest alone, we are only impacting 100,000 acres out of what, approximately 750,000 in Le Flore County alone.

Mr. CURRAN. No, there is—

Senator BOREN. 250,000 in Le Flore County.

Mr. CURRAN. Yes.

Mr. LEONARD. Which would be about one-third, affect about one-third.

Senator BOREN. Then you have other timber areas as well that are not within the boundaries.

Senator NICKLES. Well, could we go a little further on that, Mr. Curran, or Mr. Leonard, either one, because I am interested in it, and I do not want to do something that is going to have a real negative impact on a lot of people who have made their livelihood in the timber industry for years.

I understand, but correct me if I am wrong, but I was under the understanding after my tour, and I want to thank the Forest Service for participating in that, that the Forest Service is not going to be doing massive clearcutting anyway in any of these areas.

So I did not see that as a significant change from what you were going to do. I do not see this bill as a significant change from probably how you would manage the forest regardless of whether or not we pass this bill or not. Am I wrong in that?

Mr. CURRAN. That is correct.

Senator NICKLES. In other words, I do not want to be in a situation of saying, well, we have passed that bill, and as a result of that, we see a reduction of production. You are going to change some management. You are going to do less clearcutting in the more visible scenic areas anyway, whether we pass this bill or not. At least that was the impression that I have been getting.

Mr. CURRAN. That is right. The reduction we are talking about is from the present forest plan. What is the management options we have in the present forest plan? The change from that to the Senate bill would be about a 30 percent reduction.

Senator BOREN. But you are going to make some of these changes—

Senator NICKLES. Is there a significant change in the Senate bill from what your present plans or changed forest plan would be or are they pretty close to what you would do as far as management of the forest?

Mr. CURRAN. It would be very similar. As long as we did not have the prescriptive language outside of the designated areas.

Senator NICKLES. If we give you some latitude or flexibility, then you do not see it being that significant of a change in the way you administer the forest in the future?

Mr. CURRAN. That is correct.

Senator BOREN. Let me go back to that. If we take out this provision on the 40 acre limitation outside and the other language outside of the designated areas, what you are saying is that inside the designated areas the way that you intended to manage it anyway is not going to be particularly different from what would be anticipated under this bill; is that correct?

Mr. CURRAN. That is correct.

Senator BOREN. So that the bill in itself should have minimal impact if we take out that other provision as to the nondesignated areas on total timber production in the area.

Mr. LEONARD. I would just add my understanding of the situation there is that we need to also have some flexibility in the visible areas because when we project our harvest levels, we assume that stands that we are treating will be maintained in a productive situation. And if we have a stand that does not respond, and we do not get regeneration on time, we need the ability to get regeneration. Otherwise you will have a less productive stand, and to the extent that that becomes a general situation, you have some problems.

So if we have the ability to use that full tool box within the intent of maintaining the scenic values, then I think from what I understand the forest is doing in their amendment, it is fully consistent with the guidance that you are giving us in the bill.

Senator NICKLES. Mr. Chairman, if I might additionally, I mentioned in my opening comments some concerns that I heard from a lot of Oklahomans about fire and insect problems, particularly if they originated in the wilderness area.

If a fire occurred, under present law under present application, and we designated the two areas as wilderness areas, do you have the capability to put that fire out? Can you use mechanical means to put the fire out? Can you treat the insects if you have a problem that you see possibly starting to spread into other parts of the forest?

Or do we need to put some language in here that would very clearly give authority, expedited authority, to where we do not see the fire getting out of control, or we do not see the insect problem getting out of control before we try and handle it?

Mr. LEONARD. The Wilderness Act, the parent act, clearly gives us authority to take whatever action is necessary to control fire, insects, or disease activity, particularly when they threaten areas outside the wilderness.

Now in some of our larger, western wildernesses, we use fire, natural fire, to reduce the natural accumulation of fuels and to emulate the normal course of nature. Generally, the eastern wildernesses, by the very nature of their small size, you cannot let that happen because it is impossible to confine that activity within the wilderness area.

And therefore, we would normally expect to take action on insects or fire to suppress them promptly when we discover them.

Senator NICKLES. Does that have to go all the way up to the Secretary?

Mr. LEONARD. No.

Senator NICKLES. Or is that able to be handled in Mr. Curran's office or local region?

Mr. LEONARD. People at the local level have the authority to make those decisions.

Senator NICKLES. Well, I think that is very clear. And again, I will give my editorial comment. I think some of what has happened in Yellowstone has been a disaster. And it has bothered me to see that kind of resource just burn, wildlife, et cetera, and I hear all this kind of "well, we could not do anything and not do anything." I still—I do not want to deviate from the course of the hearing, but I still question this policy. I have not seen heavy mechanical equipment used yet. Is that because it is designated park or wilderness or something?

Mr. LEONARD. The local people have had the authority all the time to make the decisions to use that heavy equipment, and in fact, I know for a fact that it is being used. I was out there.

Senator NICKLES. Are they using bulldozers?

Mr. LEONARD. Yes, they are.

Senator NICKLES. Are they?

Mr. LEONARD. Yes.

Senator NICKLES. Well, they waited way too late.

Mr. LEONARD. Yes.

Senator NICKLES. Would you agree with that?

Mr. LEONARD. Yes.

Senator NICKLES. I mean I think it is—I do not know how you put the quantifiable damage, but I think it is 1 million acres all together?

Mr. LEONARD. Well, we have about 1.5 million today.

Senator NICKLES. Destroyed?

Mr. LEONARD. Within the Greater Yellowstone area, both within the park and on the forest surrounding the park.

Senator NICKLES. I flew over that about a week or so ago, and it will leave an impression on your mind that just thousands and thousands of acres that are just scarred and the wildlife killed, et cetera.

Mr. LEONARD. Unfortunately we got serious winds last night and added very large acreage to that overnight.

Senator NICKLES. Back to this legislation, and back to the fire and the insects and so on, we are looking at putting in some language that would make abundantly clear that the local people would have immediate responsibility and authority to be able to handle those problems before they became major problems. You do not have any problem with that?

Mr. LEONARD. That exists today.

Senator NICKLES. I appreciate that.

Senator BOREN. So the problem has really just been a matter of local policy setting, not any prohibition of law? In other words, these are subjective judgments that have been made?

Mr. LEONARD. They are subjective judgments and then Monday morning quarterbacks can make some second—

Senator BOREN. Yes, I understand. I drove through that area, and in fact, got turned out of Yellowstone, could not get into Yellowstone, but saw a good bit of the fire, and they are using equipment now, as you said.

Mr. LEONARD. The situation in the park is different from the surrounding forest, different policy.

Senator BOREN. Yes, and it is very different. And of course, they have this unique situation where they only have 7 percent water content in the trees this year which is a lot less than in board lumber usually.

Mr. LEONARD. That is right.

Senator BOREN. So it is a unique situation. But there is nothing as far as you can see, we are adequately protected here in terms of giving full authority?

Mr. LEONARD. Yes, sir, I believe so.

Senator BOREN. Given the fact that this is not a huge area so that if a fire began in a wilderness area, it could rapidly threaten a nonwilderness area—

Mr. LEONARD. Certainly would indeed.

Senator BOREN [continuing]. And other communities and dwellings. Any other questions, Senator Nickles? Mr. Curran, anything that you would like to add to the—we would be happy to receive a full statement for the record, if you have additional.

Mr. CURRAN. I have no statement, and I have nothing to add now.

Senator BOREN. Thank you both very much. We appreciate your taking the time to be with us today. Let me say I saw Congressman Watkins come in. So Congressman Watkins, if you would come on up, we would be happy to receive your testimony.

You should know that you have been roundly commended. Chairman Fowler joined in that in your absence for your work on this legislation.

Senator NICKLES. People brag on you very loudly when you are not here.

Mr. WATKINS. Senator, that is always the case.

Senator BOREN. We have had testimony from Senator Nickles and myself, and you have just heard the conclusion of the testimony from Mr. Leonard and Mr. Curran from the Forest Service, and we will receive your full prepared statement for the record, and be happy for you to make any additional comments that you would like to make.

And again, as we said in your absence, we would not be where we are today on this legislation had it not been for the hundreds of hours that you have spent doing what people in Washington sometimes do not do very well, and that is listening to the people back home, and trying to take into account all of the points of view that have been expressed, and try to be fair to all segments of the communities that are impacted. And I think your work in this area has really been a model, and all of us have great respect for it.

STATEMENT OF HON. WES WATKINS, A REPRESENTATIVE IN CONGRESS FROM THE THIRD CONGRESSIONAL DISTRICT, STATE OF OKLAHOMA

Mr. WATKINS. Thank you, Senator Boren and Senator Nickles. I appreciate your working to have this immediate hearing on our return from the district work-period. I want to salute you and commend you for this because if we are to complete consideration of the bill, then we are going to have to do it in the next 3 or 4 weeks. With your leadership and direction, I think maybe that can

happen. If not, all of these hours and all these days and months, in fact a couple years now of listening, would go down the drain, and we would have to start the process all over again during the next Congress. I know that you all share with me that we have enough waste of time and waste of effort around this place. So I would like to move on.

I would, without any objection, Mr. Chairman, like to submit my prepared testimony for the record in its entirety, and just speak a little bit from the cuff, from a couple of notes and from the heart, if I might.

Senator BOREN. Without objection, we will receive the full prepared statement for the record.

Mr. WATKINS. I know that you all have worked on Senate Bill 2571, which is a comparable bill or similar bill to H.R. 4354 that was introduced in the House. I would like to start out from the beginning. I am from private business. I spent 10 years in private business. I used a lot of timber in my construction and land development business and at one time bought a lot of timber, and tried to buy it from Oklahoma as often as I could.

Second, Don, I graduated from the College of Agriculture at OSU, and a lot of the forestry students were friends of mine. In fact, I have friends that are in the U.S. Forest Service today. For several years when I heard complaints, to be very honest with you, I thought, well, hey, I am not going to believe that. I know some of these people. They are good people. There are good people in the U.S. Forest Service.

Somewhere they got off the beaten track as far as the management of the forest in Oklahoma goes. And I want to clarify that. I want to say I have been a long-time supporter of the U.S. Forest Service. I believe in them, and also I believe very much in private timber landowners. I have never tried to delve into the way they harvest their timber. I think they need to always be good stewards of their soil. But it is their private land, their private investment. I have kept out of that situation.

But when we start looking at the U.S. Forest Service, the Choctaw and Kiamichi Districts of the Ouachita National Forest in this particular case, I think there have been some abuses and even Chief Dale Robertson has testified that mistakes were made. They have literally made mistakes in some management practices.

Now let me say Mr. Curran is new on the job and has been Forest Supervisor for a couple of years now, and I think things are improving. I think part of that is because of Mr. Curran, but also because of our elevating the problems. And this all started when I personally got involved about 2½ years ago. In fact, we had our first field hearing in Poteau, Oklahoma in January 1986 with Chairman Charley Whitley from North Carolina. And I might say, needless to say to you, this hearing today is about preserving the beauty of the Talimena Scenic Drive. We all know how beautiful it is. These photographs will illustrate the mismanagement by the U.S. Forest Service along the Drive.

I will pass these over to Don since you are the chairman, and you might share them with other member of the committee. I went down and drove over the Talimena Drive, the Skyline Drive sometimes we call it. I have driven a four-wheel vehicle up through the

mountains there to look at some of the timber practices, and needless to say, some of the prior individuals have not taken Oklahoma's concern to heart. Either from the U.S. Forest Service in Hot Springs or somewhere else decisions were made to allow huge clearcuts, scarring, as those pictures will show, a multimillion dollar investment.

And let me quickly add, there can be even a greater potential of return to the economy of Oklahoma if we do some necessary planning and developing of this God-given beauty that we have in that part of the country. And I think both of you gentlemen are well aware of our economy and that agriculture usually ranks No. 1. Energy is around No. 2. The ranking is bouncing back and forth. But, recreation and tourism is ranked No. 3.

And I think in an area like we have, probably the most beautiful area in the State, if we enhance that by some investment, some recreational development, we can literally put this national recreation area on all the maps to increase tourism and recreation opportunities for people to exit off of Interstates 40, 44, and 35. And hopefully, as we say, the interstate highway to be built from Shreveport up to Kansas City will enhance the economy in that particular area.

So this legislation was not an overnight decision on my part. It was one that literally I had to finally "fess" up and say, hey, these policies are all wrong. And over this 2½ years a very delicate legislative balance has been developed. I have never gone through such agony in drafting a piece of legislation. I think you all understand that from the negotiations on the Tall Grass Prairie Preserve. It was the most difficult balancing job of trying to come with a piece of legislation that would be balanced with all concerned. By that, I mean, the wilderness advocates, the Sierra Club, the timber people, the harvesting people, the recreation people, the wildlife people—about seven different groups, including a number of individuals throughout the area that had a concern.

I am not saying it is the perfect bill. It is different than what I would probably craft if just crafting my own personal bill. But I tried to take into consideration all seven or so groups as I tried to put together a balance. Now the result? The result being, again, I think, probably one of the most delicate balances of any bill that I have ever worked out, where we come down to having a wilderness area of about 14,000 acres like Black Fork Mountain Area and the Upper Kiamichi Area, which is located adjacent to the Arkansas Wilderness Area, but not near the wilderness area that a lot of people would like to have.

You know a lot of them would like to have all four of the areas specified in RARE II set-aside for wilderness. And that was strictly out of the question. We could not do that much. So I have a lot of folks that said you are not going far enough with wilderness designations. But in all respect, like the Rich Mountain Area, we have set aside about 8,000 acres for a botanical area which would also add to and be inclusive in the Robert S. Kerr Arboretum. Why? Because there are more species there and diversification of plant species than any area between the Rocky Mountains and the Appalachian Mountains.

So it also can be a lab, so to speak, and we will allow trails to be put in there, so that many groups can come and walk the trails including university students, college students, local people as well as others, but also senior citizen groups, where they can take developed trails in this botanical area. And that is about 8,000 acres designated as botanical area.

Then we have put together, mainly along the Talimena Drive, approximately 26,000 acres as national recreational area, which also takes in Cedar Lake, down in the Holson Valley area.

And, let me quickly add, in the recreational areas, we do not eliminate harvesting. You are allowed uneven-aged management. We prevent the clearcutting from taking place, but say the Service can do uneven-aged management in that recreational area.

Then we also put together some buffer areas within Forest Service boundaries. Now let me tell you this was a very difficult situation to put together because, first, I said, you could not do any clearcutting from the view of Talimena Drive, and some people said, well, you could on a clear day, you can view for miles. I said, well, you are right. That is a problem. So we kept pulling back and trying to get an area within natural terrain barriers and make up.

These designated areas are the scenic and wildlife designated areas, and are a result of again working closely with our State representatives, our State Senators, and others from that immediate area. Currently the Service is practicing some wildlife enhancement in the vicinity of the Talimena Drive and the Holson Valley Road. So that was carefully put together from the standpoint of not eliminating harvesting of timber, but allowing uneven-aged management. And, even-aged management would be allowed if hidden from view by geographical barriers from the Talimena Drive and would enhance wildlife. So it does not say the Service could not do anything in there, but they must hide it from the Talimena Drive. And they can do the uneven-aged management.

Now those are the four primary different type designations with a 400-acre area of Beech Creek set-aside for botanical area and the remainder into a scenic and wildlife area.

Again, from that standpoint it does not eliminate harvesting in the scenic and wildlife area, but it says uneven-aged management. Now why is this important? Some say, well, we do not want to lose jobs, and I agree totally. I do not think I have to take my hat off to anyone about my commitment about building the jobs and the income in all of the area of the State of Oklahoma.

But let me tell you what has happened in the last few years. Not too many years ago, we had six pulp and pole plants like in Heavener, Oklahoma. Today there is zilch. There is zero. What has happened with the contracts let by the office out of Hot Springs for clearcutting is that they became too large for the mom-and-pop timber operations to compete. The results? It took them out of the business. Now in the last 2 or 3 years, most of the contracts have been let to the Arkansas people. These have been large timber groups.

They have cut the logs, and taken them back across to Arkansas and put them in the pulp yards in that area and sold them through there. It has devastated the timber industry in Oklahoma. Now what I am proposing to you is what I feel will definitely happen,

we will have more of the mom-and-pop type operations start back up under uneven-aged management because this allows for smaller contracts.

So I think, one, without question, we will build jobs in the timber industry for Oklahoma. Second, with the \$15 million that we are authorizing in this bill to help build the recreational and tourism area on the recreational Talimena Drive Area, that will truly enhance the job opportunities and the income from that tremendous industry of recreation and tourism in our area of the State of Oklahoma.

And so to those who say, hey, will this not hurt us with some jobs, I think it will be right opposite. I think it will enhance more jobs in Oklahoma because our timber people, mom-and-pop's and small operations, will be able to compete. They cannot compete against the big ones. And also the recreation will be a lot better and enhance the tourism in that area where, I think, hundreds of thousands of people will come through that part of the country because of the designations getting on the maps and the wilderness in that area.

I wanted to share that with you because I know one of the concerns that I hear expressed is about recreation and tourism. The \$15 million will be to develop the recreation. Of course, we all know we have to appropriate all that along the way. This only authorizes the money. And it will take us several years to get there.

But it also sets up an advisory group for the recreation and tourism development. Because of the \$15 million, we felt like that we needed to have some guidance for recreation and tourism. And because the \$15 million is going to be used only for the developed tourism and recreation, we did not expand it to include a timber person or someone from, say, the Sierra Club, or someone from outside the area that had some interest other than developed recreation and tourism. Since that was the way the money was going to be utilized, we would like to have that kind of emphasis placed on it.

So, Mr. Chairman, Senator Boren, you and Senator Nickles, I appreciate, one, your having this hearing today, and that summarizes my overall comments from the standpoint of the entire bill. It does not take very long to comment after 2½ years of hard labor trying to put something together, but that is a thumbnail outline and sketch of it. It is something, I think, without question I can sit here in front of both of you and say one night in the wee hours of the night, Paul Jackson on my staff and I, we were working on this piece of legislation, and when we pulled back from the table, you know, sometimes when you finally get the feeling that what you are doing is right, it does not matter what anyone says. That was our conclusion.

And finally, you know, I had taken it on the chin from this source and that source and every source, but I realized in my heart I was doing what was right, and it did not matter. And what we are doing is right. We are preserving this God-given beauty in an area, a virgin area, that will remain untouched so that our children and future generations can enjoy it.

We are enhancing the recreation so that will enhance the economy in that area. We are pulling back the type of timbering oper-

ations that can be utilized there. So we do not have to live with that kind of scarring the rest of our lives.

So let me say today what you are doing, I think, is truly right and something we can all be proud of for years on down the road. I truly believe it is probably the most important single piece of legislation that I have ever worked on to affect my area of the State of Oklahoma. And I think, hopefully with your approval and work on this, we can look at it as being probably one of the most satisfying pieces of legislation that we have ever put together for Oklahoma. Thank you, Mr. Chairman.

Senator BOREN. Thank you very much, Congressman Watkins.

[The prepared statement and photographs of Mr. Watkins follow:]

STATEMENT BY THE HONORABLE WES WATKINS
U.S. HOUSE OF REPRESENTATIVES

ON BEHALF OF S. 2571/H.R. 4354

WINDING STAIR MOUNTAIN NATIONAL RECREATION AND WILDERNESS AREA ACT

BEFORE THE

U.S. SENATE COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY

SUBCOMMITTEE ON CONSERVATION AND FORESTRY

SEPTEMBER 7, 1988

Mr. Chairman, and Members of the Committee, thank you for allowing me this opportunity to appear today on behalf of S. 2571, the Senate companion to H.R. 4354, the "Winding Stair Mountain National Recreation and Wilderness Area Act", a comprehensive plan balanced with wilderness, botanical, recreation and scenic and wildlife areas component designations to benefit future generations of Oklahomans and these United States.

During the 98th Congress, there was a proposal to include a portion of the Ouachita National Forest in an Arkansas wilderness bill. However, all the hearings held on this bill involved only the Arkansas wilderness question, and the compromises that took place were all within the Arkansas congressional delegation in the House and the Senate. A compromise was reached and a bill adopted and signed into law, but the feeling was that the Congress not include Oklahoma Ouachita National Forest lands in an Arkansas bill without giving Oklahoma people an opportunity to be heard.

For at least the last two years, we have spent hundreds of hours listening to Oklahomans and developing a plan which I believe is the right combination of designations and needed management changes and is acceptable to those interested in the management of the Ouachita National Forest in Oklahoma. The plan that we offer to the Congress is one of very delicate balance and was crafted after local hearings, formal and informal meetings, field visits to the forest and one-on-one conversations with interested parties. I along with my Senate colleagues have remained objective and allowed the same

latitude and openness to each group.

On January 7, 1986, a field hearing was held in Poteau, Oklahoma, in the Robert S. Kerr Conference Center Auditorium at Carl Albert Junior College by the House Committee on Agriculture -- Subcommittee on Forests, Family Farms, and Energy. Testimony and written statements were received from 20 individuals or groups representing those for and against wilderness as well as other U.S. Forest Service management practices.

Over the last few months, Chairman Harold Volkmer of the House Agriculture Committee, Subcommittee on Forests, Family Farms, and Energy; Chairman Bruce Vento of the House Committee on Interior and Insular Affairs, Subcommittee on National Parks and Public Lands; U.S. Forest Service Chief F. Dale Robertson; and Deputy Secretary of Agriculture Peter Myers have been on the ground and in the air to survey the area that we are discussing today.

Without question, this bill has been probably the most difficult piece of legislation on which I have worked during the 12 years I have been in the Congress. However, with passage of this bill it will be one of the most personally satisfying things that I will have accomplished in the Congress. What began as a look at only Rare II lands for wilderness designation was expanded greatly to include a comprehensive effort that will allow many people from across this great country from this and future generations enjoy the Oklahoma portion of the Ouachita National Forest.

First, let me say I have never been one to think that we should set aside land for a single purpose that would not allow flexibility and the utilization by a broad base of constituencies. Each of the groups for or against wilderness have expressed to me the "right"

position to take in this matter. I could not be honest with myself if, after looking at our complete natural resources, I could not say that some of the area is deserving of being set aside untouched for future generations. When I say untouched, I mean from the time of enactment of this legislation. Nearly, all of the Ouachita National Forest lands in Oklahoma were cutover by timber companies at the turn of the century. It is only now that the forest once again flourishes with diversity. We do not have virgin timber areas except for pockets in rough terrain areas, but we are proud of the resources we have.

Some of those opposed to wilderness admit that it needs to be done but "not now". If something is not done now, then it will take at least another 50 years before the timber would grow back to the way it is today provided it was cut. Sometimes you know down deep the right thing to do and it is with courage you must pursue in the face of adversity. That is my choice.

My staff and I have been working for several years with interested parties to find a sensible balance between the needs to preserve in a pure state some of the undeveloped lands while also accomodating the economic needs of the area, state, and nation.

This bill is one that is well-balanced and provides for the interests of loggers (small and large), environmental groups, wildlife groups (deer and turkey), soil conservation groups, including the Conservation Districts, tourism and recreation interests, local civic organizations, local and state elected officials, and local school system officials.

Of the four areas on the Oklahoma portion of the Ouachita evaluated under the Rare II study, and later reevaluated, Black Fork Mountain was recommended for wilderness at a level of 4,072 acres and

Upper Kiamichi was recommended for wilderness at a level of 8,852 acres. The bill I propose as perfected by the Committee process includes 4,583 acres for Black Fork Mountain Wilderness and 9,371 acres for Upper Kiamichi River Wilderness. Had the Upper Kiamichi River tract not been designated wilderness, it would have received some form of protection almost as strong as wilderness because of the scenic sensitivity in the area which adjoins the Talimena Drive.

The comprehensive plan should result in little or no loss of revenues from federal receipt-sharing because the wilderness area involved is such a small part of the total 1,591,849 acres in the Ouachita National Forest in Arkansas and Oklahoma. Changes in management should have no impact as long as timber receipts continue at current levels in other parts of the Ouachita. In McCurtain and LeFlore Counties alone, there are a total of 249,205 acres of federal forest lands and this bill only deals with a small portion of that total.

Moreover, tourism and recreation enhancement to the area will bring revenue to the local area to boost local earnings.

LeFlore County is becoming a major attraction for business and industry in the northern part of the county while the southern part of the county offers the most unique tourism and recreation in Oklahoma. The enhancement of tourism and recreation opportunities will attract more business and industry who look for these kind of opportunities before locating in an area. Areas that are not crucial to a viable tourism industry are available for commercial timber activities. LeFlore County has the kind of combination that most counties desire in attracting business and industry.

Inholdings are held to a minimum in all areas that are proposed

for designation, in fact, a preliminary check has indicated that most owners of inholdings are willing sellers. The general rule is that inholders will have the same access in wilderness and other designated areas as they did prior to the enactment of this bill.

Let me make clear that this bill only affects LeFlore County in Oklahoma and not any other county in Oklahoma or Arkansas that has portions of Ouachita National Forest.

The crux of this legislation addresses long-time local concerns of the way that the U.S. Forest Service has managed many scenic areas along sensitive tourism corridors. Mr. Chairman, at this point I would like to submit to the Committee the following photographs that will illustrate the way the Talimena Drive appeared prior to the — beginning of clear-cutting and a representative sampling of only a small portion of ill-advised management practices that has occurred on the Oklahoma portion of the Ouachita National Forest since this practice began about 15 years ago.

Many of the management objectives directed through this legislation within designated areas are necessary to preserve a multi-million dollar tourism industry that has the potential for bringing new and needed revenue to the low income economic depressed area of Oklahoma. Prior management of the U.S. Forest Service have used practices that were not sensitive to the visual impact of the area. In highly sensitive scenic areas, clearcutting has occurred to the edge of the highway without regard to visual impact along these roads. A blanket of block clear-cuts carpet the valley lying between the Talimena (Scenic) Drive and the north edge of the valley ending at Blue Mountain. In many instances, back-to-back clear-cuts were made which in effect doubled maximum acreages amounts.

I have been told by the U.S. Forest Service that the management changes I have proposed in this bill will most likely be included in the revisioned management plan for the Ouachita National Forest. If this is the case, then, why should this not be codified for within the designated areas. Moreover, the draft for such a plan is not available yet.

Even if changes are being made in this management plan and by the current administration here in Washington and in Hot Springs, what will keep this or future administrations from returning to devastating practices once more in the future. When this bill is signed into law, I want to know that these areas are spared from a repeat of what has occurred in the last decade.

Putting these management changes into law will assure the people of this area that a repeat will not occur. The support of this bill including support for wilderness designations by the local people is largely based on the strong management changes made in this bill. While some support wilderness and others oppose it, the unanimous decision by the local people is to have more unevenaged management practiced and consideration given to scenic and wildlife responsibilities. I repeat, the support for this bill is weighted on management changes by the U.S. Forest Service.

The planning process has not worked and certainly the multi-purpose use objective was not met -- clearly the only objective that was met is that of timber production. It is with regret that I must ask the Congress to take action in this bill concerning the management of these areas.

The bill before you today mirrors the original version of H.R. 4354 with the exception of two or three items. Both the House

Committee on Agriculture and the Committee on Interior have approved a perfected version of the legislation which was passed by the House on August 8, 1988. It was during this process that changes were made.

Specific principal provisions of the "Winding Stair Mountain National Recreation and Wilderness Area Act" as passed by the House are as follows:

- 48,000 acres are designated as national wilderness, botanical, and recreation areas, including Black Fork Mountain Wilderness (4,583 acres), Upper Kiamichi River Wilderness (9,371 acres), Robert S. Kerr Memorial Arboretum, Nature Center and Botanical Area (8,026 acres), Beech Creek Botanical Area (400 acres), and Winding Stair Mountain National Recreation Area (26,445 acres).

During the Committee process, better access was given to Black Fork Mountain to meet concerns. Careful consideration was given to allowing roads for access as close as possible when wilderness boundaries were drawn. No buffer zones are to be established around the designated wilderness areas. The legislation also "frees" other wilderness areas which had been studied and designated as possible wilderness areas. The authority of the Service to deal with fire, insect infestations, and disease within in wilderness areas is covered under the original wilderness act in 1964.

The bill designates a 8,026 acre Robert S. Kerr Memorial Arboretum, Nature Center and Botanical Area which would encompass the existing acreage at the Arboretum and adds Rich Mountain (considered for Wilderness) which contains unique plant species and vegetation similar to that contained at the Arboretum. The bill does not change the way the Arboretum is now managed. No commercial or federal timber harvesting will be permitted on this tract, although mechanized

cutting for trail building shall be allowed. Improvements and expansion of roads and facilities shall be permitted in the vicinity of the Kerr Nature Center. It is envisioned that roads and facilities expansion would be limited to the current tract designated as the Kerr Arboretum and Nature Center and not into the Rich Mountain addition.

- 48,000 additional acres are designated as national scenic and wildlife areas; the Indian Nations National Scenic and Wildlife Area (41,051 acres) and Beech Creek Scenic Area (7,500). Unevenaged management will be used in these areas as well as the Winding Stair Mountain National Recreation Area. Exceptions for evenaged management are permitted in all three areas to promote public safety, mitigate the effects of fire, insects, and disease. Evenaged managed irregular cuts are allowed in the scenic and wildlife area and in recreation areas that are hidden from view from Talimena Drive and Holson Valley Road by geographical barriers. Evenaged cuts are also allowed for scenic vistas and recreational development within the national recreation area.

Timber management practices in these areas will promote mixed hardwood and conifer forests with species and ages classes mixed as closely as possible to nature, including significant mast production and den trees for wildlife.

Management provisions are limited to within designated areas while the regular planning process will continue to govern those areas outside of the designated areas. Accompanying report language, expressing the intent of Congress, defines unevenaged management and recommends that the Service work closely with the public to develop timber management guidelines for the general national forest lands in LeFlore County that are not within any of the special designations

established by this Act. These guidelines need to be sensitive to the needs of wildlife and scenery by limiting the size of clearcuts, providing vegetative cover along streams, roads and trails and maintaining den trees and clumps of mast producing hardwoods.

I want to make clear that the only lands taken out of production are the designated wilderness areas and the botanical areas. All other designated areas will continue to be harvested but in a different manner. These designated areas where timbering will continue will be used in calculating the allowable sale quality of the Ouachita National Forest.

While Beech Creek is deserving of some recognition (botanical and scenic area) because of its unique characteristics, it is not being considered for wilderness because of the lack of local support for an additional area. Some opponents to any wilderness designation are "tolerating" the Black Fork and Upper Kiamichi designations. However, this bill would be dead and politically impossible should an additional area such as Beech Creek be designated wilderness.

The designation of the Beech Creek basin area as scenic area with the exception of the 400 acres nearest the stream as botanical area was done after it became apparent that management provisions could not be included for areas outside of designated areas.

Report language also recommends that outstanding contracts within special designations should be renegotiated if such activities would not comply with the goals and objectives of this act. This is a must since contracts exist from major viewpoints on the drive. If such negotiations fail, the Forest Service should be prepared to cancel such contracts.

The Secretary of Agriculture will name a special advisory group

from the area to assist in drafting an "action" plan amendment to the tourism and recreation section of the forest plan. Any specific reference to any group has been dropped in the bill. The report suggests several local groups that could be considered for the group. Groups outside of the area such as state agencies are not mentioned based on the fact that these groups historically have not given consideration to the area before, nor are they likely to do so in the future.

This group would not deal with any broad goals of management for the forest since this would interrupt the regular planning process.>

Prior hunting, fishing and trapping agreements with the State of Oklahoma's fish and game department are left intact.

The bill authorizes \$15 million to be appropriated for the development and implementation of the tourism and recreation impact plan.

The legislation permits the acquiring of sites at locations outside the boundaries of the recreation and wilderness areas for visitor orientation and the possible establishment of a lodge and additional facilities to enhance the quality of the area, as well as on existing Forest lands not designated wilderness.

The legislation guarantees an economic return from future timber harvests, while providing for increased tourism and recreational opportunities and the continued preservation of the area's natural beauty for this and future generations.

As I stated earlier, this legislation has been perfected through the Committee process. We have met the concerns of all constituencies to the best extent possible. I would urge the Committee to expedite consideration of this legislation and to utilize the House passed

version of this legislation where the concerns have been met so that legislation can be enacted into law before Congress adjourns.

In conclusion, I have often said that along the way in our enthusiasm to provide opportunities for our people in Southeastern Oklahoma, we will error, make mistakes and sometimes fail, but the biggest failure is to do nothing. Mr. Chairman and distinguished Members of the Committee, it is with pride that I testify today in support of a comprehensive package that will determine the future of the Ouachita National Forest in Oklahoma for many generations to come.

Thank you Mr. Chairman. I will be happy to answer any questions the Committee might have.

Photographs submitted for the record follow:

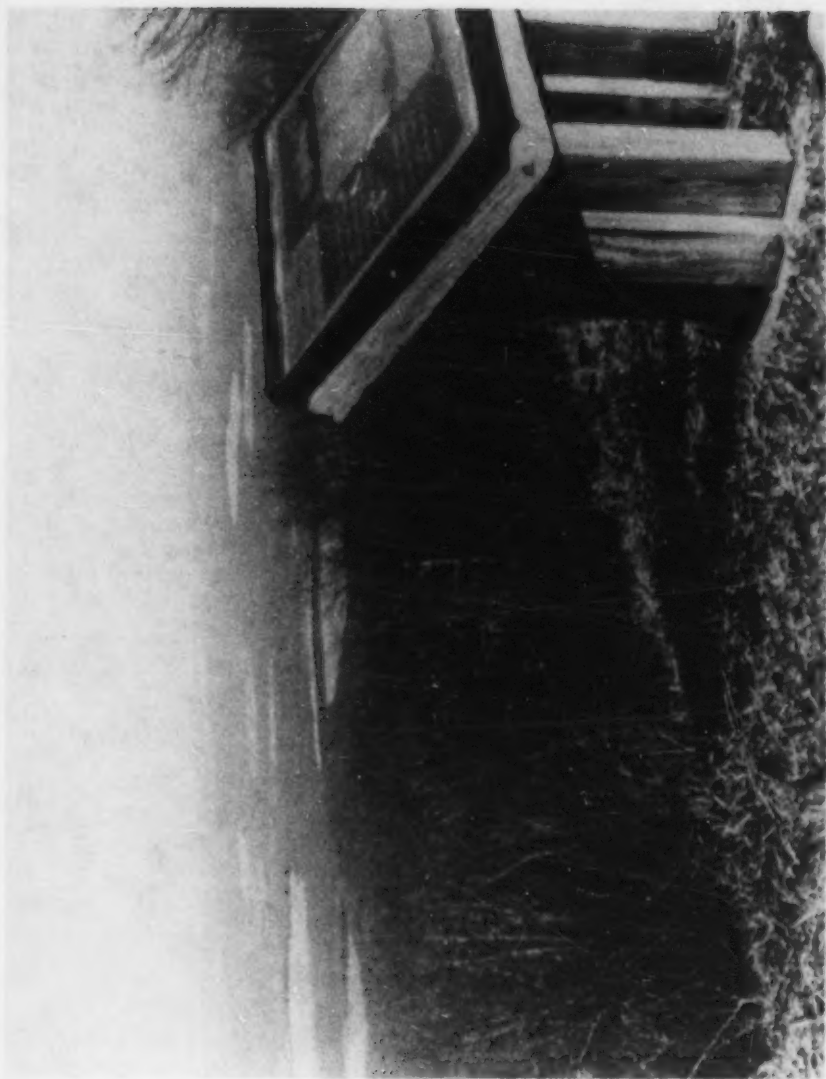
Welcome to Talimena Scenic Drive



Talimena Scenic Drive before clearcutting.



Congressman Wes Watkins surveys clearcuttings from
Sugarloaf Vista.



Sugarloaf Vista after clearcutting.



Deadmon Vista after clearcutting--note the clearcut
on the far ridge.



Panorama Vista after clearcutting.

Senator BOREN. I understand exactly what you mean when you talk about the satisfaction that comes from working on something that is going to have a permanent and lasting impact generation after generation. I am convinced that we have not even scratched the service with what we can do with tourism in Oklahoma and development of our recreational opportunities.

And a part of what we must do if we are going to develop tourism is keep certain areas pure and pristine. We have gone through the heartbreaking process that is still uncompleted with the Tall Grass Prairie Area that you made reference to earlier. I hope some day we are going—some of us have not given up on that project, and we hope to find a way to do that because we do not realize—sometimes in Oklahoma, I tend to think that we put ourselves down as a State.

We do not realize that we have some of the most precious jewels that there are anywhere on this continent within the boundaries of our own State. And the area of the Ouachita, the Ouachita Mountains, the Talimena Drive, the Kiamichi country, and the Tall Grass country on farther north, which is also an opposite of that area that we are talking about in this legislation, some of the most unique terrain in the whole United States.

And it is going to be an even greater treat for future generations to have an opportunity even than it is now to come and see these kinds of areas, and not only is it going to be important for them to understand just exactly the kind of country that the pioneers came upon, and that the Indians found when they came into the region, but it is very important to our economic future as well. And there are some things that you do to score political points. There are some things that you do because they are right, and because you are a custodian in trust for the next generation, and you certainly, I think, maintained that standard in trying to work on this legislation and this project.

Senator Nickles, any questions?

Senator NICKLES. Mr. Chairman, no. I just want to echo your comments and compliment Congressman Watkins for his leadership in this area. It has been a pleasure working with him. I think the bills are converging and we are making good progress, as you have had your bill introduced and marked it up. We introduced legislation and we are talking about additional changes to try to make the two converge. We do have a little problem with jurisdiction of the bills, and we will try to work on that before too long and see if we cannot get that taken care of.

If not, we may have two different bills passing, and that can be a little bit complicated toward the end of the session. So hopefully we will get things worked out between the Energy Committee, which I am a member, and the Ag Committee which you are a member, and we will come up with some legislation.

The changes that I see between the House passed bill, and the bill that we are talking about, do not seem all that significant.

Senator BOREN. No.

Senator NICKLES. As I stated in my comments, I think the advisory committee is an important issue. You mentioned having an advisory committee primarily concerned with tourism, and we drafted the legislation to apply to basically the entire management plan as

well as tourism. Tourism would be one segment of it. So that is one of the things that we will work on together.

Mr. WATKINS. I appreciate that because I have thought about the fact that we might be looking at two different groups. The one that I am thinking about mainly would be the one that would say, hey, an advisory group on how we are going to develop the plan for the developed recreation.

Senator BOREN. For recreational area.

Mr. WATKINS. Yes.

Senator BOREN. And you certainly would favor an advisory committee as well to look at the other aspects of the—

Mr. WATKINS. I have no problem on the whole area.

Senator BOREN. The whole area.

Mr. WATKINS. I think for the recreation hopefully we can get some of the best minds on developed recreation and economic development working in that area.

Senator NICKLES. I do not know that we would want to have two. But anyway those are a couple of things that we will have to work out. And again, it is a pleasure. Mr. Chairman, I have a little bit of a problem. I want to hear the witnesses, but I am also going to have to leave shortly.

Senator BOREN. Now that the politicians have all spoken, including ourselves, I am sure that the next witnesses will be more to the point. [Laughter.]

I am just kidding. I will urge the witnesses to summarize their prepared statements, if we can, and we will try to contain ourselves as well, because we are enthusiastic about what is being done here, so we can get as much testimony in as possible before Senator Nickles and Congressman Watkins have to leave.

Our next panel is Beth Johnson, regional representative of the Sierra Club from Dallas, Texas; Peter Kirby, southeast regional director of the Wilderness Society of Atlanta, Georgia. They were to have been joined by Herb Beattie, executive director of the Oklahoma Nature Conservancy. But I do not believe that Herb was able to be present. We had received a message that his airplane had been grounded someplace en route, and so that he was not going to be able to get here in time.

Beth Johnson, we will begin with you and we are happy to have you. We will receive the full prepared statements of both of you for the record. I would suggest that perhaps you might summarize those points that perhaps have not been made or that might diverge from the points that have already been made rather than repeating the same kind of things that we have been over.

STATEMENT OF BETH JOHNSON, SOUTHERN PLAINS REGIONAL REPRESENTATIVE, SIERRA CLUB, DALLAS, TX

Ms. JOHNSON. I appreciate that. We do appreciate the opportunity to express the views of our Sierra Club members in Oklahoma and throughout the Nation on S. 2571, and at the risk of repeating the previous witnesses, we do commend you folks and Congressman Watkins for all your hard work and study and on the ground investigation for the bill. We know it has taken a lot of hard work.

We applaud the general concepts of the bill, and think it expresses an outstanding framework for addressing the issues that have been expressed locally.

OUTSTANDING CONCEPTS

In our view there are three main components, broad concepts of the bill which we certainly would like to applaud and hope would remain in the final bill.

First, is that there is some wilderness designation, and that has always been sought, and the bill partially achieves that objective. The second is the uneven-aged management which has been mentioned a lot, and this has clearly been sought for a long time by the local people. And the third would be the native diversity, the biological diversity language. And there is some language along these lines in the bill, and the importance here—it has not been addressed too much today—but what this means is that regardless of the type of harvesting you are using, the local people have expressed a very strong desire not to get rid of the hardwoods, not to change the native mixed hardwood/pine forest which tourists come to see.

Senator BOREN. Not to move to a monoculture.

Ms. JOHNSON. Exactly. You do not want to change the beautiful fall colors which are southeastern Oklahoma and which provide the deer hunting and the wildlife. You do not want to change that into a pine farm because nobody is going to come see a green sea of pine trees.

SUGGESTIONS

We do have some suggestions along the lines of merging thoughts that are in the Senate bill with what the House passed.

MARKUP VEHICLE

First of all, we would suggest that as the markup vehicle, it would probably be very convenient and we would support using the House-passed bill as the markup vehicle.

BEECH CREEK BASIN WILDERNESS PROPOSAL

Regarding the Beech Creek Wilderness proposal, I have attached to our statement a background page that explains the natural values of the area, but I will just summarize briefly by saying that we have always felt that Beech Creek, and I am talking about the whole basin, the 7,000 acre area, was the very best of the four wilderness proposals for solitude, scientific study and family type recreation as opposed to the very strenuous type of recreation.

It is only the area within the Oklahoma National Forest where we have the opportunity to preserve a sizable year-round stream, the complete watershed of that stream, so that makes it particularly unique, and it is also the only lowland ecosystem as opposed to a mountainside or the top of a mountain of the four areas. So for that reason, we have been particularly concerned about the Beech Creek Basin. We are very appreciative of the House changes that were made in the bill.

They brought the boundary out to the rim of the basin to include the whole area, and they placed it in a category that would prohibit clearcutting and other types of even-aged management which is very, very useful. Our members, in particular, remain concerned that the House language allows any commercial timber harvesting. But we have agreed to work with the Forest Service through the regular planning process to try to resolve this particular issue.

We would hope that the Forest Service would choose to administer it like the other scenic areas that they administratively designate. In other words, it is not in the suitable timber base. They can go in there and do a few things, but they are not building roads. They are not commercially harvesting timber. We would hope that that is one thing they would look at.

Senator BOREN. It seemed to be the testimony we had from the Forest Service today in terms of their intent.

Ms. JOHNSON. On the Beech Creek Area, in particular, which is a scenic area, I understood them to say they opposed both scenic areas, Indian Nations and Beech Creek, but I do not want to put words in their mouth. I am not sure exactly what they did say in there.

In particular, as I say, the road-building would be of concern to us, and we would be real concerned that before any decisions are made on whether to log or not, which the House bill as written does allow commercial timber harvesting in our view, does not mandate it in our view. But before those decisions would be made, we feel that it would be real useful to have a study period in which botanists could get in there, recreation specialists could get in, and determine what the values were, and whether logging would impact them or where logging would impact.

So if we could get some assurances along those lines, both for the road-building and the study period, I think that would go a long way toward alleviating our members' concerns in Oklahoma. Like I say, we do appreciate what happened on the House side as far as the general protections that were given.

Do you guys need to run?

Senator BOREN. I think we probably can complete with yours until Senator Nickles gets back, and then he can resume.

Ms. JOHNSON. OK. I will try to run on through then.

DIVERSITY LANGUAGE

The third major point would be in the diversity language. We would suggest that although the House language aims very much in the right direction, merging some of the phrases that were originally in the Senate bill and in Congressman Watkins' House bill would enhance that language, in particular making it very clear that type conversion, species type conversion on an individual stand basis, was not the intent of the Congress.

And I feel confident in saying that locally I know you all, as you expressed before, do not want it turned into a pine plantation.

Senator BOREN. Right.

Ms. JOHNSON. We are not sure the language as written does that.

Senator BOREN. We will go back and work carefully on that.

Ms. JOHNSON. And we have some specific language on that.

Senator BOREN. And work also with Congressman Watkins. And on the first point, as you know, we have already moved in the Senate bill to be willing to take on the Beech Creek Area, to go as far—and I realize that does not go as far as you would like us to go at this point—but to immediately move to accept what Congressman Watkins has done on the House side with that area.

Ms. JOHNSON. In my view, it does not really address roads or a study period. I suppose it would be open to add that in or in some way direct the Forest Service. Do I understand you to say you are not interested in either of those?

Senator BOREN. No, no. No, I was nodding affirmatively that we look at report language or something else that would show our intent.

Ms. JOHNSON. Our feeling is on the bill as a whole, we are down to fine-tuning. We think it is a good bill that came out of the House. There were some differences between that and the Senate bill, some of which we support, and along the lines that you all have mentioned. And then some of the sort of hanging questions that simply are not addressed, if they could be tightened up a little bit, it would help it a lot.

PROTECTIVE ZONES ALONG TRAILS, STREAMS, AND HIGHWAYS

These zones that have been mentioned along trails, streams and highways, we would support defining them a little bit tighter than what is in the Senate bill, and we think a simple way to do that would be to say that along these zones or within these zones which are adjacent to trails, streams and highways, commercial timber harvesting would be eliminated. What this would mean is that if they need a wildlife opening or a pond or a viewpoint, that is fine, but that is not commercial timber harvesting.

Senator BOREN. Right.

Ms. JOHNSON. So we would support those taking place within the special areas.

Senator BOREN. I apologize. I am going to have to stop you because I am down, I think, to about 3 minutes on the vote. So Senator Nickles should be right back, and then we can resume.

[Recess.]

Senator NICKLES [presiding]. We will continue the hearing. We have a vote still in progress, and we may have a couple of others. So I think for continuity and also for our witnesses, many of which came from some distance to participate today, we will continue. So Ms. Johnson.

Ms. JOHNSON. Thank you.

ADVISORY COMMITTEE

Just to wrap up on these points here, the advisory committee which has been mentioned, we would support the advisory committee as structured in the Senate version which I would agree does not necessarily rule out what was in the House version either, but something where people representing diverse constituency groups and expertise areas could meet to advise on all aspects of forest management in Le Flore County. We think that would be excellent.

And then as a subset of that, perhaps the same group or a different group that could advise on recreation and tourism. Of course, to comment on one thing Congressman Watkins said, of course, the Sierra Club leads hundreds of outings, backpack trips and day hikes throughout the region every year, so we would hope we would be considered a recreation outfit. We are also a conservation group.

NATIONAL RECREATION AREA MANAGEMENT

Regarding the National Recreation Area management, there were a couple of ideas that were in the original Senate bill which have not stayed in the House bill that we are concerned about. One is that originally even-aged management would be allowed only for the fire and insects and the vistas and that sort of thing, recreational development, not for if it was hidden you could go ahead and clearcut.

Because the Ouachita National Recreation Trail lies largely within this particular area, within the NRA, we would be real concerned about whether there would be clearcutting right next to the trail because this seems to be the center of where the recreation values lie in the bill. Coupled with that, there was a diversity requirement in the original Senate bill which has also been removed from the House bill. So the effect in the House is now you have an area where not only can you clearcut, but you can convert to a pine farm. And some of this may have been oversight, but we would hope to see that tightened up a little bit.

COOPERATIVE STUDIES

The cooperative studies which were mentioned in the House bill, we think the groups that were mentioned as possible ones that the Forest Service could deal with are excellent. We would suggest adding a couple that have expertise in plant communities per se as opposed to the ones that were mentioned.

And there would be a couple of State entities, Oklahoma Biological Survey, and Oklahoma Natural Heritage Inventory, and then a couple of Federal agencies who have personnel in the area, the U.S. Fish and Wildlife Service, which of course Congressman Watkins is real familiar with, and the National Park Service there in Chickasaw. So that would be just be a thought to perhaps mention those. And there again, it is not mandatory. It is just giving them ideas for who they could contract with.

So those would be our main thoughts on the bill, and again, we would just like to commend all of you all for the tremendously long and hard process you have gone through in developing this bill. We feel that our comments are in the nature and spirit of fine-tuning, and we do want to see a bill this year. We hope there will be time to get one through, and we appreciate your attention.

Senator NICKLES. Ms. Johnson, thank you very much.

[The prepared statement and attachment of Ms. Johnson follow:]

SIERRA CLUB



SOUTHERN PLAINS REGION

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STATEMENT OF BETH JOHNSON,
SOUTHERN PLAINS REGIONAL REPRESENTATIVE,
SIERRA CLUB,
ON S. 2571
BEFORE THE SENATE SUBCOMMITTEE
ON CONSERVATION AND FORESTRY
SEPTEMBER 7, 1988

Mr. Chairman, on behalf of our 440,000 members nationwide, and in particular our 18,500 members in Oklahoma, Arkansas, Kansas, and Texas with whom I work closely, I appreciate this opportunity to express our views on S. 2571, the "Winding Stair Mountain National Recreation and Wilderness Area Act."

The Sierra Club heartily commends Congressman Watkins and Senators Nickles and Boren and their staff on the introduction of this bill, and we would like to express our appreciation for all the study, on-the-ground analysis, and hard work that have gone into its drafting and into moving it through the legislative process.

We applaud the general concepts of the bill, and we believe the bill offers an outstanding framework for significantly enhancing ecosystem protection, recreation, and tourism, as well as local job opportunities in LeFlore County, Oklahoma.

OUTSTANDING CONCEPTS

Our members feel that forming the essence of the bill are several excellent concepts that deserve much praise, and we are pleased that these concepts have been retained in the House-passed bill:

1) Oklahoma has long needed adequate wilderness designation, and S. 2571 partially achieves that objective;

2) hunters, recreationists, and tourists have asked that significant acreage be set aside as a national recreation area that would be managed by uneven-aged management, and S. 2571 offers protection to some of the key scenic areas in question; and

3) to best protect all multiple uses of the forest, the public in LeFlore County has long demanded that native diversity be maintained by prohibiting the Forest Service from turning the native mixed hardwood-pine ecosystem into a predominantly-pine one, and S. 2571 offers some language along these lines.

SUGGESTIONS

We would like to comment on distinctions between the House-passed bill and S. 2571 and to make some suggestions regarding combination of the two.

1. Mark-up vehicle. In general, we believe that the House-passed bill is a good bill. We believe it would be appropriate for this committee to use the House-passed bill as the Senate mark-up vehicle, and we encourage you to adopt that approach.

However, we believe the package could still be improved in some respects by merging several concepts from the Senate bill with House language.

2. Beech Creek Basin wilderness proposal. To summarize the background document on this area, attached, the Beech Creek Basin is (1) the very best of the four wilderness proposals for solitude, scientific study, and family-type primitive recreation; (2) the only Oklahoma national forest opportunity we have to preserve the pristine watershed of a sizeable year-round stream; and (3) the only lowland ecosystem on Oklahoma national forest land which the public has a chance to know and enjoy intact.

We are very appreciative that the House made significant improvements in the bill by enlarging the boundary out to the rim of the basin and by placing the area in a category that would prohibit even-aged management. We hope this Subcommittee will concur in these provisions.

Although our members remain extremely concerned that the House language allows any commercial timber harvesting, we are willing to work through the forest planning process and attempt to resolve protection of this area. As a result of volunteer efforts to assess and draw attention to the special values of this area, we hope the Forest Service will choose to administer the basin as other administratively-designated scenic or special interest areas are now managed. The Forest Service administers numerous such areas now in Arkansas and all are placed in the "unsuitable" category, meaning no commercial timber harvesting or road-building. Several more in Arkansas are under consideration in the new forest plan, but to date the Forest Service has not proposed a single such area for Oklahoma.

Assurances that no road-building would take place, and that adequate studies and public input would be conducted prior to any decisions regarding commercial logging, would alleviate many immediate concerns of Oklahoma sportsmen and conservationists and would be fully consistent with house language.

3. Diversity language. Although the biological diversity language found in the House bill in the sections on the scenic and wildlife area, and the scenic area, aims very much in the right direction, our members who have worked closely on national forest management issues for many years and have had the opportunity to observe how the Forest Service

interprets existing statutory and regulatory language believe that this House language might be construed to allow species type conversion on an individual stand basis. This would be completely contrary to overwhelming local public opinion and to the intent of both Senate and House Members from Oklahoma in the language of their bill as introduced. To clarify intent, we suggest that the Subcommittee substitute the following language in appropriate sections of the bill, which merges concepts from the House and Senate bills as introduced with language changes made by the House Interior Committee:

"Timber management practices within ... shall restore and maintain a mixed hardwood and conifer forest with the relative abundance of species and the age class diversity within each stand approximating natural succession...."

The single most important phrase, of the three we have added into the above Interior committee-reported language is "within each stand." Some have suggested that "within each stand" could not be added because it would be difficult to define "stand." Forest Plan glossaries have a definition of a "stand"; perhaps this definition would be a simple solution to the problem. Also, the Forest Service currently has every stand in every compartment mapped and entered into a computer data-base, so it would seem that they could easily interpret this language. Nevertheless, if "stand" is still seen as posing problems to interpret and administer, then "within each 100-acre parcel" or some similar language would be vastly preferable to "area."

4. Protective zones along trails, streams and highways. The Senate bill as introduced has a provision for "buffer zones" in these areas. We suggest retaining this concept, but altering it in the following ways:

(a) It is preferable to apply this provision to the special areas in the bill.

(b) It is preferable to use the legislatively simple device of defining these zones as zones where "commercial timber harvesting will not occur adjacent to trails, streams, and highways," rather than leaving the definition of the zones up to an advisory committee to struggle with, and the recommendation of which the Forest Service could reject. These zones would be in the "unsuitable" management category, not in the timber base. While we feel it is important to define the protection level in the bill, as suggested above, it would perhaps be prudent to have the advisory committee recommend widths for the various types of zones.

For two reasons, these zones are especially needed: As noted below, weakening of protections with the N.R.A. in the House-passed bill leaves much of Ouachita National Recreation Trail possibly subject to adjacent or nearby clearcutting; and the current southern boundary of the Upper Kiamichi River

Wilderness in the bill is the Ouachita Trail itself, which could create a highly undesirable situation of hikers hiking the entire first day of a two-day backpack trip with "wilderness" on one side of the trail and clearcuts on the other.

5. Advisory committee. The committee as envisioned in the Senate bill is an outstanding concept because the committee can provide advice in an ongoing way on all aspects of forest management in the national forest in LeFlore County. (The House version limits the committee to commenting on recreation and tourism aspects only, of the special areas only, on the initial amendment to the forest plan only.) In our view, the advisory committee provision in the Senate bill simply formalizes and creates a structure to carry out existing administrative authority that the Forest Service has to form such advisory groups, but which they have not utilized in a formal way in LeFlore County. We also applaud the Senate bill requirement for an advisory committee that would be equally divided among groups with various types of expertise.

6. National Recreation Area management. Much of the existing Ouachita National Recreation Trail and other recreational and wildlife values are found within the boundaries of the N.R.A. The House-passed bill allows even-aged management within whatever portions of this area cannot be seen from Talimena Scenic Drive or Holson Valley Road. The Senate bill prohibits any even-aged management within this area. Since recreationists and hunters believe that uneven-aged management is better for these resources than even-aged management, and since it is difficult to determine whether trail-side areas or other particular areas within the N.R.A. would be seen from the two roads, it would be preferable to retain the Senate language.

Even more worrisome, in combination with the allowance of even-aged management on parts of the N.R.A., is the House's omission of any requirement for biological diversity within the N.R.A. The effect could be not only clearcutting but also converting individual sites from the native mixed hardwood-pine ecosystem to pine monocultures ("pine farms"), in portions of the very area that is to be the cornerstone of the recreation management in the bill. We suggest adding the same diversity language that is ultimately found in the scenic and scenic and wildlife areas.

7. Cooperative studies. We believe that the various State entities mentioned in the Senate bill as possible ones to cooperate in preparing recommendations for the revised forest plan regarding the special areas are good ones. We would suggest that you consider also mentioning two additional State entities--the Oklahoma Biological Survey and the Oklahoma Natural Heritage Inventory--and two federal agencies--the highly respected U.S. Fish and Wildlife Service and the National Park Service, both of whom have nearby personnel in Oklahoma. Unlike the other agencies

mentioned in the bill as introduced, these entities have extensive expertise in recognizing the existence of and habitat management needs of rare-in-Oklahoma or federally threatened or endangered plant and animal species and communities. In fact, none of the agencies mentioned in the bill has programs or expertise in plant communities per se or in interpretive programs. This field of expertise would mesh well with and would help round out the more intensive-management orientations of the other agencies mentioned.

8. Committee report language. We had felt it was important to define in some forum the term "uneven-aged management" since that is the cornerstone of the protections that would be offered to the N.R.A. and the scenic areas. In our view such a definition would be two-part, addressing both the size of the cut and biological diversity. The House chose to include diversity requirements in the bill itself, which, with the changes we suggest, would be an excellent way for the Senate to proceed. The House chose to define the size of the cut in committee report language. We would suggest that the Senate add to the definition utilized in the Interior Committee report language mention of "natural regeneration", as opposed to "regeneration" as in the Interior Committee report, to clarify that, consistent with Forest Service discussions of the uneven-aged management system in its forest plans, uneven-aged management is not designed for planting of trees and therefore species type conversion and/or use of genetically improved pine seedlings.

SUMMARY

In closing, again I would like to commend Senators Nickles and Boren and their staff for their initiative in seeking to preserve and enhance local natural resource, tourism, recreation, and job needs through introduction of this bill, and for their desire to gather feedback on the bill. I would also very much like to commend the staffs and members of this Subcommittee for their prompt scheduling of a hearing and for their consideration of the viewpoints expressed here today. We look forward to mark-up as soon as the Subcommittee is able, and we will be happy to offer whatever assistance we can to the Oklahoma Senators and this Subcommittee in the spirit of fine tuning this bill into a vehicle that achieves the goals of high-quality wilderness, recreation areas, and scenic areas in LeFlore County.

Beech Creek--the Case for Wilderness follows:

BEECH CREEK THE CASE FOR WILDERNESS

Background

The Beech Creek area is one of only 4 remaining roadless areas in the Oklahoma portion of the Ouachita National Forest. During the RARE II process, a total of 13 Oklahoma areas were inventoried although only 4 were given a detailed evaluation. The other 9, while essentially roadless, were dropped from further study due to the extent of clearcutting that had already taken place. The U.S. Forest Service eventually recommended wilderness designation for only 2 of these 13 areas: Black Fork Mountain and Upper Kiamichi River.

We have closely followed the various Forest Service analyses of these areas. We have also conducted our own independent assessment of their attributes and values. As a result, it is our firm conclusion that the areas known as Beech Creek and Rich Mountain are also worthy and deserving of the protection afforded by wilderness designation. Because of its unique characteristics, the Beech Creek area would make a particularly fine addition to the National Wilderness Preservation System.

Description

Beech Creek is located in southern LeFlore County adjacent to the Arkansas border, about 4 miles south of State Highway 63. It totals about 8000 acres and is an enclosed basin of the upper reaches of Beech Creek. The boundary on the north, south, and east sides is a primitive road which follows the horse-shoe shaped ridge of Cow Creek Mountain and Walnut Mountain. These mountains rise to 2400 feet elevation and are the dominant landform. Polecat Peak in the eastern part of the area is the greatest elevation, 2416 feet. The topography is characterized by these steep screening mountains in the upper areas and the more gentle bottomland areas in the valley near the creek at about 1000 feet elevation.

The creek itself is a beautiful year-round stream which rises within the area. It flows in a southwesterly direction to join the Mountain Fork River and eventually the Little River and the Red River. Water in the creek is of high quality due to the undisturbed conditions which predominate in the drainage basin. A significant flow is maintained throughout most of its length.

Soils are rocky, sandy loam and exposed rock is common. The general vegetation type is characterized as an oak-hickory-pine forest of the Southeastern Mixed Forest. The Forest Service classifies over half of the Beech Creek area (4338 acres) as a mixed hardwood forest type. About 21% (1697 acres) is classified mixed pine hardwood. About one-fourth (2030 acres) is classified as a pine forest type but Forest Service methods for determining pine types have been called into question.

Mountain ridges and uninhabited privately-owned land effectively isolate the area. A sparse population and light amount of activity in adjacent land outside the Forest boundary allows the area to be free from civilization's noise and sights. While the Beech Creek area is relatively isolated, good access is available from all-weather forest roads which approach from the north and south. A hiking trail follows the creek.

Wilderness Attributes

The Beech Creek area is particularly well-suited for wilderness management due to the fact that it consists of a single, unified hydrologic unit: the Beech Creek drainage basin. This means that activities outside the area have only a minimal impact inside. The mountains which ring the

boundary provide an effective topographic screen from outside influences. For example, logging outside the boundary would not cause siltation of the stream. Even noise and light from autos or settlements are effectively eliminated. This kind of topographic isolation is not available in any of the other proposed wilderness areas.

The most visible benefit of wilderness is its recreation value and Beech Creek provides a variety of recreation attractions. The diverse terrain, from the rugged slopes of Polecat Peak to the gentle valley and crystal clear mountain streams, offers opportunities for a broad range of experiences. A designated hiking trail is already available and the area is of such a size that overnight camping trips are possible. Beech Creek is well-known for its population of Eastern Wild Turkey and maintains a deserved reputation for quality hunting.

Beech Creek also offers attractions related to the creek itself. None of the other proposed wilderness areas have a stream the size of Beech Creek. The Upper Kiamichi River does not reach a substantial flow rate within the proposed boundaries and the other two areas consist almost entirely of mountain slopes. This is the only wilderness proposal that provides an opportunity for fishing. Smallmouth bass and other game fish inhabit the creek. The flowing water itself and occasional rock outcrops that create small cascading waterfalls are quite attractive to many people.

Wilderness areas provide an important reference point by which we can gauge man's impact on surrounding land. The characteristics of Beech Creek make it an ideal candidate to fill this role. Since it is topographically isolated, external influences of all kinds are minimized. As this kind of natural laboratory becomes more rare, it becomes more important to preserve those remaining.

Wilderness also serves as a reserve for genetic diversity and a refuge for rare species. The isolation of the Ouachita Mountain vegetation since glacial times has resulted in several endemic plant and animal species and relic habitat for a large number of other species. A partial list of rare plants known from Beech Creek includes: Baneberry, Virginia Beechdrops, Cucumber Tree, Twisted Sedge, Fly Poison, Mountain Azalea, Seaside Alder, Ozark Chinkapin, and of course the Beech Tree. Rare animals may also be found here, including: Southern Bald Eagle, Eastern Cougar, Black Bear, and two endangered bat species. Beech Creek also serves as a colonization area for the endangered Red-Cockaded Woodpecker which is found a few miles south. Due to its unusual flora and fauna and its special character, Beech Creek has been nominated for preservation as an Oklahoma Natural area by the Oklahoma Natural Heritage Program.

It has been suggested that a 400 acre "Botanical Area" along the Creek in several scattered tracts would be enough to protect the Beech trees and other resources of the area. We believe such an approach is woefully inadequate. The effects of disturbances outside the small protected area would overwhelm the existing ecosystem. In their comments on the Forest Plan, the Oklahoma Biological Survey expressed similar concerns. "It is not enough to preserve only a few individuals of the interesting species, or even small isolated stands of undisturbed vegetation. The four proposed wilderness areas would offer excellent protection for some community types which are rare in Oklahoma." (May 29, 1985 letter).

Wilderness provides protection for watersheds and water quality. Beech Creek is important from this regard as well. The Mountain Fork River, of which Beech Creek is a tributary, flows into Broken Bow Lake. Extensive logging operations are taking place on private industrial timber lands above the lake. Broken Bow Lake has a reputation for extremely clear water and protecting Beech Creek will help maintain the high water quality in the Lake.

Suitability for Primitive Recreation

According to outings experts in the region, Beech Creek is extremely well suited for overnight backpacking and day-hiking. Because of the existing trail, the variety of terrain (including much gentle lowland terrain), and the existence of abundant, year-round, reliable water, Beech Creek is better suited for this type of recreational experience than the other areas in HR4354 and equally or better suited than existing wilderness areas in Arkansas. The closest existing mountainous national forest wilderness within reasonable driving distance to Dallas/Ft. Worth and the rest of the well-populated North Texas tourism market is Caney Creek in Arkansas; Beech Creek would be as close or closer and would be immediately popular as a welcome alternative to the overcrowded Caney Creek experience. The greater size of the stream in Beech Creek, and the opportunity to enjoy one of the few areas of abundant beech trees in Oklahoma, would make this area very attractive to the North Texas market.

Unlike the other three wilderness/botanical areas in HR4354, because of its topography Beech Creek is blessed with abundant natural campsites and abundant possibilities for trail locations. Also, year-round reliable water for overnight camping is available away from the perimeter of the area but in numerous places, unlike the other three areas. The weight of the water needed for trips of more than two days (especially in winter when there is the added weight of warm clothes and other survival equipment) can be a deterrent to many hikers, but Beech Creek would be attractive because water would not have to be carried. Trail construction would be less difficult and less costly here than in the other three areas, because the gentle terrain lends itself to establishment of many trail miles merely by markings on trees (anti-erosion measures such as implanting water bars would not be needed).

Other Considerations

Oklahoma has one wilderness area now, the 8,570 acre Charon's Garden area in the Wichita Mountains National Wildlife Refuge. It is badly overused and tight restrictions have been placed on visitors. This kind of overuse can be prevented by providing sufficient wilderness opportunities to disperse the use. Beech Creek is needed so that future visitors will not have to get in line for permits in order to enter a wilderness area. The physical terrain of the Beech Creek area provides features not found in the other proposed wilderness areas. About two-thirds of the Upper Kiamichi River area and all of the Rich Mountain and Black Fork Mountain areas consist of steep, rugged mountain slopes. This kind of terrain is not desirable for camping, or easy walking and other less strenuous activities. The easily accessible lowland areas of Beech Creek valley would round out the kinds of wilderness activity available to visitors.

Public preference as to the future of Beech Creek has evolved over time. In 1978 (RARE II) 20% of the commenters favored wilderness while 71% favored further planning. In a 1983 restudy 87% of the people commenting on Beech Creek supported wilderness status and only 13% opposed. Clearly the public has made up its mind in the intervening years and now strongly favors protection of this area.

Forest Service Objections

The Forest Service has expressed four principal objections to protecting Beech Creek as wilderness: excessive roads, logged areas, the amount of inholdings and human disturbances. On closer examination, none of these objections is found to be valid. The Forest Service claims there are 10 miles of all-weather roads in the Beech Creek area. Although we have requested a listing

showing their exact location, the Forest Service has been unable to provide it. There is a road surrounding, not inside, most of the area. We suspect that the Forest Service may be counting a road which was planned for construction in 1985. This project was halted by an administrative appeal filed by the Sierra Club. The one primitive "road" which crosses the proposed wilderness (about 3 miles) is actually a trail and is shown on the Forest trail map as such. We have conducted numerous field trips to the area and are not aware of any roads that would interfere with wilderness designation.

The Forest Service objects to "pine plantations throughout the area." However, their own data show that only two percent has been regenerated (clearcut) since 1973. In their description of the area, they admit that "all vegetation, however, appears natural." With time even these scars will heal. Previous Forest Service clearcuts are not a valid reason to destroy the unique resources which remain.

The Forest Service claims that the amount of privately held land within their boundary would (about 28%) would hinder management as wilderness. We have proposed boundary changes to remove a significant amount of this acreage from the wilderness area and other adjustments may be possible. Other inholders may be willing to sell or trade their land and this should be investigated and encouraged. Inholdings within HR4354 and upper Kiamichi River wilderness are also significant, but most inholders are unopposed to nearby wilderness designations and/or are willing to sell. In any case, wilderness designation will not interfere with any activities on or access to private lands within the boundary.

Forest Service concerns about other disturbances have also been expressed. These have to do mainly with previous wildlife management activities. Again the facts do not support this objection. Only 32 acres have been affected by "wildlife habitat improvement" activities. A total of 13 acres have been impacted by wildlife waterhole construction. It should be noted that most of these areas are near the boundary of the proposed wilderness. Any impact is slight and will diminish with time.

Conclusion

Beech Creek is a unique resource. It is the most remote of the four proposed wilderness areas, is extremely well-suited for wilderness management, and has characteristics which make it highly valuable for recreation. The size, shape, and location of this area allow the visitor a solitude which is difficult to equal yet access is such that many people could experience it. The variety of terrain, from rugged slopes to the crystal-clear mountain streams and gentle valleys, offers high quality wilderness attributes. Stated objections of the Forest Service are found to be baseless and the overwhelming preference of the public is to protect Beech Creek as wilderness. We strongly believe that Beech Creek would make an outstanding addition to the National Wilderness Preservation System and we urge the Oklahoma congressional delegation to take the actions necessary to accomplish this. Future generations will look back in gratitude for our foresight in preserving this living legacy.

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Senator NICKLES. Mr. Kirby, had you made your statement yet?

Mr. KIRBY. No, I have not, sir.

Senator NICKLES. Please proceed.

**STATEMENT OF PETER KIRBY, SOUTHEAST REGIONAL DIRECTOR
OF THE WILDERNESS SOCIETY, ATLANTA, GA**

Mr. KIRBY. Thank you, Mr. Nickles. On behalf of the Wilderness Society and our 8,200 members in the States of Oklahoma, Arkansas and Texas, I appreciate this opportunity to express our views on S. 2571. And again, like Beth, I would like to begin by commending both you and Mr. Boren for your hard work in devising this legislation.

To be brief, let me discuss simply two improvements that the Wilderness Society feels should be made as the Senate marks up and moves out this legislation.

BEECH CREEK SHOULD BE DESIGNATED WILDERNESS

First, Beech Creek, we think, should be designated wilderness, and second, the diversity requirement needs to be clarified.

The House-passed bill, as you know, designates the Beech Creek National Scenic Area for the purpose of protecting its scenery and wildlife. The bill further limits cutting to uneven-aged management and imposes a diversity requirement on any timber practices. This is a positive first step in recognizing the special character of this roadless creek basin and in setting the goal of conserving its beauty and fish and wildlife. To ensure needed protection, however, we urge the committee to designate Beech Creek as wilderness. Even the most careful selection logging and related road construction will degrade the wild character of Beech Creek. Among other effects, it would disqualify Beech Creek for future wilderness review by the Forest Service, the public and Congress.

Let me add that only 10 years ago, as staff for the National Wildlife Federation, I visited Beech Creek with local sportsmen when I was examining some timber practices on nearby private lands. It is significant that these conservationists chose Beech Creek to take a visitor, to show me the natural values of the region's forest. I can still remember the sparkling creek, the pleasant hiking, the deep beech groves, and the large flock of about 20 turkeys we surprised. Wilderness would keep Beech Creek a natural area draw for locals and visitors alike.

Now I recognize from today's discussion that both yourself and Mr. Boren are inclined to follow the House action and designate this a recreation area. However, I think it is important to recognize that the Forest Service, if they do log and road this area will eliminate future wilderness options, and prevent future generations, as Mr. Boren said, from protecting the most pristine lands in your State.

So we would recommend that if you do choose to follow the House lead on this that you could put in a prohibition on any new permanent road construction within the area. Congress has done this on occasion when it has created special areas like the White Rocks National Recreation Area in Vermont, just to give a recent example. And that would allow for some light timber harvesting,

but would keep the wilderness option available for future Congresses.

Let me conclude by talking about the second point, which is that the diversity requirement needs to be clarified. As Beth just mentioned, the House-passed bill and the Senate bill both have diversity requirements. The shared purposes of these differently worded provisions are to limit conversion of mixed pine/hardwood forests to pine stands, to assure that ample amounts of old growth are distributed throughout the forest, and to require that timber practices as closely as possible mimic natural processes.

So, the Senate has to decide which wording to use, the wording of your bill or the wording of the House bill. We would suggest a merged version as follows: "Timber management practices within the special area shall restore and maintain a mixed hardwood and conifer forest with the relative abundance of species and age class diversity within each stand approximating natural succession."

By bringing the diversity requirement down to each stand, this provision will put tighter limits on species conversion than if the requirement is applied only generally to the NRA or the wildlife and scenic area.

And this provision will also assure that more old growth will be retained, and that it will be widely distributed throughout both special areas. So we recommend that as the diversity section to be used.

In summary, Mr. Chairman, we urge the committee to report this bill out promptly, this month ideally, to allow for enactment this year. We are ready to work with you and your staff on any of the suggestions that we have made. The Ouachita, as you know, is the South's oldest and largest national forest. With some of these improvements suggested, this legislation will quite possibly make it the best managed national forest in the South also.

[The prepared statement and attachment of Mr. Kirby and the prepared statement of Mr. Beattie follow:]



THE WILDERNESS SOCIETY

SOUTHEAST REGION

STATEMENT OF PETER KIRBY, SOUTHEAST REGIONAL DIRECTOR OF THE WILDERNESS SOCIETY, ON S. 2571 BEFORE THE SUBCOMMITTEE ON CONSERVATION AND FORESTRY OF THE SENATE COMMITTEE ON AGRICULTURE, NUTRITION AND FORESTRY, SEPTEMBER 7, 1988

Mr. Chairman, on behalf of the Wilderness Society and its over 226,000 members, including 8,200 in the states of Oklahoma, Arkansas and Texas, I appreciate this opportunity to express our views on S. 2571, the "Winding Stair Mountain National Recreation and Wilderness Area Act." At the outset, The Wilderness Society commends Senators Boren and Nickles and Representative Wes Watkins for their hard work in devising this legislation.

As the Committee is well aware, the House Interior and Agriculture Committees both held hearings on similar legislation earlier this year. Based on a wide range of testimony, the Committees made a number of useful improvements regarding land allocations and bill language. To build on this good effort, we recommend that this Committee use the House-passed bill as the mark-up vehicle, as a substitute for S. 2571. However, we believe there are some provisions in S. 2571 that should be included and some further improvements that need to be made in the House-passed bill. Thus, to provide the greatest benefits for the people and the environment of the region, we urge this Committee to make the following high-priority changes:

1. Beech Creek should be designated wilderness. The House-passed bill establishes the Beech Creek National Scenic Area for the purpose of protecting its scenery and wildlife. For this 7,500 acre area, the bill further limits cutting to unevenaged management and imposes a diversity requirement on any timber practices. This is a positive first step in recognizing the special character of this roadless creek-basin and in setting the goal of conserving its beauty and fish and wildlife. To ensure needed protection, however, we urge the Committee to designate Beech Creek as wilderness. Even the most careful selection logging and related road construction will degrade the wild character of Beech Creek. Among other effects, it would disqualify Beech Creek for future wilderness review by the Forest Service, the public and Congress. And, as I

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will detail in a moment, there is a compelling need for more wilderness in Oklahoma and the Southeast.

It is highly significant that when the Forest Service designates "scenic" areas on the Ouachita National Forest and elsewhere in the South it deems such areas "unsuitable" for timber production and schedules no timber sale there in their forest plan. It does not make sense for "scenic" areas set up by law by Congress to have less protection than similar "scenic" areas administratively designated by the Forest Service.

As members of Congress are well aware, wilderness is in short, short supply in the East. In the Southern Region of the National Forest System, which includes the Ouachita, only about 5% of the Forest Service land is designated wilderness, the lowest percent of any of their nine regions. Moreover, national forests make up only a limited amount, less than 10%, of the overall land base in the Southeast. In the face of this very small wilderness base, it is noteworthy that recreation demand for wilderness is increasing here faster than for most other Forest Service regions. According to the agency's Regional Guide for the South (1984):

"Wilderness recreation visits in the Southern Region increased an average of 5 percent per year from 1975 to 1979. This compares to a 2.5 percent increase nationally during the same period. Since 1979, recreation use of wilderness in the South has increased approximately five times faster than during the 1975-79 period. ...The 1980 RPA Program projects national wilderness use to increase 2 percent per year for the next several decades. Wilderness use in the South is expected to continue to exceed national trends, with an average annual growth rate of 4 percent over the next two decades."

Clearly, much more wilderness needs to be protected in the Southeast in order to provide these vital opportunities for backcountry recreation. In addition, more wilderness is needed in the Southeast to assure protection for high-quality fisheries, undisturbed wildlife habitat, visual beauty and natural biological functions.

Beech Creek especially would add a unique diversity of values to the wilderness designations of H.R. 4354. Attached is an informative fact-sheet about Beech Creek, which I recommend for the Committee's study. As it details, Beech Creek is well-suited for low-land backcountry recreation, has a free-flowing and clear stream, abundant and beautiful beech trees and is accessible. As staff for the National Wildlife Federation, I visited Beech Creek

almost a decade ago when I was touring Southeast Oklahoma with local sportsmen for the purpose of examining the timber practices of Weyerhaeuser. It's significant that these conservationists chose Beech Creek to take a visitor to show him the natural values of the region's forests. I can still remember the sparkling creek, the pleasant hiking, the deep beech groves -- and the large flock of about twenty turkey we surprised! Wilderness would keep Beech Creek a natural area draw for locals and visitors alike.

2. Protection of the Winding Stair Mountain NRA should be strengthened.

At the outset, The Wilderness Society applauds the direction in both the House-passed bill and S. 2571 that uneven-aged management be used in the National Recreation Area. This is a much-needed remedy to correct the agency's excessive reliance on clearcutting and to provide some large demonstration areas for uneven-aged management.

As this Committee is well-aware, Congress thought it was restricting clearcutting a decade ago in the National Forest Management Act with the requirement that it could be used "only where...it is determined to be the optimum method" and "only where" it is "consistent with the protection of soil, watershed, fish, wildlife, recreation and aesthetic resources." With these restrictions, Congress plainly intended for methods other than clearcutting to predominate. However, clearcutting continues as the dominant harvest method in forest plans, even for highly scenic areas of the country. Ironically, the preference for clearcutting is most evident in the Southeast, where public opposition to clearcutting on national forests has been the strongest. More than three-quarters of the logging planned for the Southern Region will be accomplished by clearcutting.

For further evidence that uneven-aged management through group selection is a viable alternative to clearcutting, I am submitting for the record a recent article from forester Leon Minckler. Among his findings is that group selection more closely imitates the openings of a natural ecosystem and better maintains visual and other environmental values with a continuous forest cover, with large trees over the whole forest.

As noted, S. 2571 directs the use of unevenaged management, with a limited exception only for needed salvage after fire, insects or disease. The House-passed bill also has this salvage exception but also allows clearcuts if they are blocked from view off the two main roads by geographic barriers. We suggest that this House exception for non-visible clearcuts be dropped and the Senate version

used. As the Minckler article substantiates, there are many sound reasons, in addition to visual ugliness, for limiting clearcutting.

The House-passed bill omits, perhaps inadvertently, the requirement that timber practices in the NRA protect natural diversity. Such a requirement is found in Section 10 of the House-passed bill for the Indian Nations National Scenic and Wildlife Area. There does not appear to be any reason to treat the two areas differently regarding this important protection. Also, S. 2571 does have a special diversity requirement for the NRA. Thus, we recommend that the Committee ensure that the sections on the NRA and Wildlife and Scenic Area both contain a diversity requirement.

3. The diversity and unevenaged management requirements need to be clarified. As noted, the House-passed bill contains a diversity requirement, as does S. 2571. The shared purposes of these differently worded provisions are: to limit conversion of mixed pine-hardwood forest to pine stands, to assure that ample amounts of old-growth are distributed throughout the forest and to require that timber practices as closely as possible mimic natural processes. In seeking the right wording, we agree with the Sierra Club's proposed language that tries to merge the concepts in both the House and Senate versions, namely: "Timber management practices within ... shall restore and maintain a mixed hardwood and conifer forest with the relative abundance of species and the age class diversity within each stand approximating natural succession...." (emphasis added).

Stands tend to be relatively small areas, with trees of relatively uniform condition of age or species and other traits so as to be distinguishable from adjoining forest. By bringing the requirement down to each stand, this provision will put tighter limits on species conversion than if the requirement applied only generally to the NRA or the Wildlife and Scenic Area. This provision will also assure that more old-growth will be retained and that it be more widely distributed throughout the entire area.

Finally, to see that the Forest Service truly practices unevenaged management, both House Committee reports define the term, but with slight differences. We suggest a blend of the two, as follows:

the application of a combination of actions needed to simultaneously maintain continuous high-forest cover, recurring natural regeneration, and the orderly growth and development of trees through a range of diameter or age classes to provide a sustained yield of forest products. Cutting is usually regulated by specifying the number or proportion of trees of particular sizes

to retain within each area, thereby maintaining a planned distribution of size classes. Cutting methods that develop and maintain uneven-aged stands are single-tree and group selection. Group selection shall be defined as removing trees periodically in small groups resulting in openings that do not exceed one-half acre in size.

This definition is taken almost verbatim from the Forest Service NFMA rules at 36 CFR 219.3. A slight change is the substitution of the term "recurring natural regeneration" for the Forest Service term "recurring regeneration of desirable species" in order to limit conversion to pine. The definition also limits openings to one-half acres, a viable size for group selection, in order to prevent mini-clearcuts.

In summary, Mr. Chairman, we urge the Committee to report this bill out promptly to allow for enactment this year. We are ready to work with you and your staff on any of the suggestions or issues discussed. The Ouachita is the South's oldest and largest National Forest. With the improvements suggested, this legislation will quite possibly make this Oklahoma portion also the best-managed National Forest in the South.

Attachment follows: "Group Selection Silviculture in Eastern Mixed Hardwoods," by Leon S. Minckler, who is a consultant on environmental forestry residing in Blacksburg, Virginia.

Group Selection Silviculture In Eastern Mixed Hardwoods

by Leon S. Minckler

The chief objective of good silviculture is to produce long-range forest values along with maintaining the integrity of the forest ecosystem. While there is no *one* silvicultural system that is best everywhere, group selection has unique characteristics which make it appropriate in most Central, Appalachian, and Piedmont mixed hardwoods. Group selection harvest allows the production of timber combined with maintenance of a continuous forest cover, environmental values, and environmental protection. Its use requires a mental attitude which considers the forest as a living organism. Its practice emulates nature but on a different time scale and with workable ecological modifications.

Despite the fitness of group selection for mixed hardwood forests, most of the recent national forest land management plans emphasize clearcutting as the preferred method of harvest. At least six forest plans for the mixed hardwood region, the George Washington, Jefferson, Ouachita, Nantahala, Pisgah, and Cherokee,



Although highly valued yellow-poplar is considered a relatively shade-intolerant species, it has been shown to grow well in the small openings created by group selection harvesting. Forest Service.

have been appealed by people objecting to the level of clearcutting proposed.

Clearcutting is so overwhelmingly preferred in the forest plans in part because many professional foresters, especially those with the Forest Service, misunderstand the correct practice of group selection. Common objections to group selection maintain that it is less profitable, that it requires more rapid road building, that it does not meet the biological requirements of desired species, and that inventories are more expensive. I will address these misunderstandings as I outline the essence of group selection and its practice in eastern forests.

Procedure in Group Selection

Group selection is *not* simply the clearcutting of small patches in a mechanical way. Group selection silviculture maintains the dominance of the forest and the forest microclimate. There is no sense of stepping into another climate or another vegetation type when one steps into a small clearing made during a harvest cut. The clearing still has the smell, the feel, and the appearance of the forest.

Before harvest begins, the forester's first step is to choose a fairly homogeneous management unit and conduct an inventory of species, tree sizes, and tree

classes. Like any selection system, group selection is regulated by the volume and tree diameter distribution on the management unit. Some foresters have maintained that uneven-aged management prescriptions, such as group selection, "would be difficult to monitor to ensure that adequate growing stock is maintained," to quote the supplement to the draft environmental impact statement for the George Washington National Forest. Regulating the forest would indeed require a diameter distribution inventory either by permanent plots or random plots. But block clearcutting also requires the determination by inventory of when volume is correct for harvest. In short, once inventory plots have been established, the amount of effort required to monitor the stock on hand, although somewhat higher for group selection, should not be considered a significant deterrent.

In the next step, a forester should mark trees for cutting, using opportunistic but scientific criteria to leave the good growing stock, and to cut the mature and undesirable trees. During marking, the forester should leave irregular openings large enough for new regeneration and, in fact, should leave a continuous, mosaic-like forest. Studies have shown that for optimal growth and regeneration, the average diameter of individual openings needs to be at least equal the height of surrounding uncut trees. Larger openings up to two or three times tree heights are fine if the stand conditions allow it.

The first cut after management starts might be heavier than later cuts in order to free the good immature trees for better growth, to harvest the mature trees, and to make openings adequate for regeneration of less shade-tolerant species, such as yellow-poplar. Cutting cycles and volume cut should usually be flexible for the first few cycles until a sustainable diameter distribution is attained. Many eastern hardwoods are now being clearcut over hill and

dale with little regard for the diameter distribution or condition of the stands. We should not cut good immature trees just to get a clearcut of 20-40 acres.

Normally the good growing stock, and at least some of the wildlife and aesthetic trees, would be left and the other classes cut. Mature, high risk, and culls would have the highest priority for cutting. The openings should be cleaned up; suppressed trees and small poles should be cut or killed, but desirable seedlings and small saplings should be left.

Timber harvesting should be fully integrated with the silvicultural system used, as well as the terrain. The silviculturist

We should not cut good immature trees just to get a clearcut of 20-40 acres.

is not finished with his obligations until the logs are at the landing.

For group selection the logger uses a "light touch." During a twenty-year experiment in group selection on the Kaskaskia Experimental Forest in southern Illinois, we used a D-4 Caterpillar track tractor with a two-wheeled skully with winch. Logs were winched to the skully, the front ends of the logs were raised and then skidded to the landing beside a road on the ridge top. The crew was carefully trained and given motivation for skillful harvesting. There was very little damage, and skid trails were shallow with no deep cutting into mineral soil. But new research is needed for harvesting to minimize damage. In some cases slope steepness, poor sites, or special use may prohibit conventional logging altogether.

Long- and Short-Term Timber Economics

There is no question that clearcutting will return relatively high profits to the logger in the short term (although perhaps not to the U.S. Treasury when the Forest Service includes marginal lands in the timber base). But what about the long-term economics of timber? The greatest error in past forestry practice in America has been the liquidation of good growers in combination with leaving the cull and low-quality trees.

Cutting immature trees is poor economics. We eliminate them just as value starts to accelerate. It takes 30 to 60 years for the average hardwood to reach small sawlog size. While salable, such trees have a low value. In growing from 16 to 22 inches in diameter during the next 30 to 60 year period, a tree will nearly triple in sawlog volume and easily increase five times in value. When you cut good-quality immature trees you are throwing away most of the 30 to 60 years already invested in them.

Group selection is perhaps also more economic than clearcutting in terms of forest regeneration. Regenerating an area that has been clearcut depends on established seedlings already present, seed in litter, and stump sprouts from many small stumps left after clearcutting. These stump sprouts are multi-stemmed, and are unduly subject to rot from the old stump. Intensive weeding and thinning are required to produce a single stem, and even then the quality is questionable.

These problems are greatly lessened in group selection. Mostly big trees are cut, and immature trees in their prime are left to grow. Regeneration comes from established seedlings and saplings, seed in the litter, and seed from surrounding trees. Group selection does not give the problem of hundreds of sprout clumps, as does block clearcutting, because few small trees are cut. Large hardwood trees do not stump sprout.

Benefits from Group Selection Silviculture

Group selection is generally a more appropriate method of silviculture than block clearcutting for the mixed oak, hickory, and yellow-poplar forests of the Central, Appalachian, and Piedmont mixed hardwoods. The forests are usually at least 3- or 4-aged with different stand conditions due to site-type, past history, and tree-size differences. Past cutting practices often involved *highgrading*—taking only select larger trees and leaving the smaller trees.

In the humid East, widespread fires creating large openings seldom occurred, but natural mortality and wind throws (creating small openings) were common. The virgin forests of eastern mixed hardwoods were seldom even-aged. The smaller 1/5- to 1-acre openings created during

group selection harvest cuts more closely parallel those natural processes than do 20-40 acre clearcuts.

Compared to the clearcutting now so commonly used (and planned) on national forests, group selection provides the following benefits:

1. Visual and other environmental values are maintained by the presence of a continuous forest cover, with large trees over the whole forest.

2. The forest remains highly diversified. Group

selection emphasizes vertical diversity based on varied species composition, a wide range of tree sizes and ages, small openings with new regeneration, and maximum edge effect. This is natural diversity within the forest as distinguished from horizontal diversity when large acreages are converted to one age class (and therefore one type of habitat) by clearcutting. Group selection provides a wide range of habitat for many wildlife species. There is browse in the openings, mast and den trees, and edge around openings for birds and other species.

3. Regeneration comes from seedlings, seedling sprouts, and seed from border trees. There are fewer multiple stump sprouts because fewer small trees are cut than in clearcutting.

4. Immature, good quality trees are left to grow to rotation size, not

cut for pulpwood or firewood.

5. Water quality is maintained and percolation relatively undiminished. Erosion and nutrient loss are minimized because the litter cover is less disturbed.

6. The natural ecosystem is more closely imitated and, therefore, is better maintained. It is unknown what two or three rotations of clearcutting will do to eastern mixed hardwoods.



Group selection is generally more suited than clearcutting to the ecology of cove-type hardwoods, such as the white oak and northern red oak shown here. Forest Service.



Multiple stump sprouts about three years after clearcutting on the Monongahela National Forest. Group selection harvest is less likely to cause multiple sprouts, which will require intensive weeding and thinning to produce a good single stem. Leon Minckler.

Common Objections to Group Selection

Some objections to group selection result from a lack of understanding of this method. In addition to the arguments of short-term economics and more intensive inventories that I have already discussed, it is often argued that group selection will result in conversion to less desired species, and that it will require a more intensive road system.

Natural eastern mixed-hardwood forests have persisted for many hundreds of years by regeneration in openings created mostly by mortality and windfall. Large killing fires were uncommon. You can see this way of natural regeneration by looking at the few remnants of virgin forests still existing. In close similarity to the natural forest, regeneration under group selection is generally successful if individual openings are at least equal in average diameter to the height of surrounding trees. Usually openings will be larger. Studies have shown that even intolerant hardwoods, such as yellow-poplar, reproduced and grew well in clearings as small as one-quarter acre. The more shade-tolerant oaks and hickories certainly do not require 100 percent sunlight, nor do northern hardwoods. On the Kaskaskia Experimental Forest, small openings of one-quarter to one-half acre in size, cut 30-35 years ago, now have a good stocking of pole-sized trees, with species influenced by site.

Both clearcutting and group selection require roads in the forest. If the new forests after clearcutting receive the correct intermediate cuttings, then the number of entrances are not much fewer than the 10-15 year cutting cycles of group selection. Selection cutting can use the "light touch" skidding, as already explained, to get to the truck roads. The mileage of truck roads need not be different. Frequency of use may be slightly higher for selection methods. This is not a high price to pay for the benefits received.

Conclusions

Of course, we want and can have both timber and environmental values. All we have to do is practice professional forestry, including the selection of the most appropriate silvicultural system. Because of the complexity of

site-types, past timber-cutting practices and values desired, the eastern mixed hardwoods require site-specific and goal-oriented silviculture. Group selection fulfills those requirements, and also provides for natural regeneration of the native species and maintenance of the natural ecosystems. It is clear that dominant clearcutting cannot achieve the above results.

Unfortunately there is no common easily used measuring stick to compare timber with environmental values. When evaluating management objectives foresters should look for synergistic effects that will enhance total benefits. The comparisons made are usually heavily biased by the interests involved. Often, perceived public, bureaucratic, and industrial interests do not coincide. But there are certain long-term values that could be measured on a financial scale, if only we could find a way to measure the worth of recreation, clean water, soil, and wildlife habitat. We need a measuring stick to allow broad scale economics to guide practices. If we had that, we would almost certainly use silviculture to produce values most desired, maintain the integrity of the ecosystem, and move away from the current heavy emphasis on timber.

Leon S. Minckler is a consultant on environmental forestry residing in Blacksburg, Virginia. Dr. Minckler spent 33 years with the Forest Service at four eastern Forest Experiment Stations doing research in silviculture and ecology of hardwoods.

Statement of Herbert S. Beattie,
Director, Oklahoma Chapter,
The Nature Conservancy

Mr. Chairman, members of the committee, on behalf of the officers, directors and members of The Nature Conservancy, I appreciate this opportunity to discuss Senate Bill 2571 which, if approved, will create the Winding Stair Mountain National Recreation and Wilderness Area.

The Nature Conservancy is an international membership organization committed to the global preservation of natural diversity. Its mission is to find, protect, and maintain the best examples of communities, ecosystems, and endangered species in the natural world.

We commend Senators Boren and Nickels for introducing this bill and we wholeheartedly urge its passage by this committee and, later, the Congress. We specifically commend them for the proposed designation of the Beech Creek Botanical Area and the formation of an advisory committee for National Forest Service lands in LeFlore County, Oklahoma.

This bill recognizes that certain undeveloped National Forest system lands in the State of Oklahoma possess outstanding natural characteristics which give them high values as wilderness. However, the State of Oklahoma has not performed an adequate inventory of these natural characteristics. Such a process is called a Natural Heritage Inventory which, in Oklahoma, is the responsibility of the Oklahoma Biological Survey which receives no public funds for Heritage Inventory purposes. As a result, the house and senate members, and other interested parties who defined the various boundaries contained in this act were working with less than complete information regarding habitat for rare and endangered species and significant biological communities.

Therefore we would urge that an adequate biological assessment of the designated areas be performed as soon as practical. We are assured that such an assessment could be performed by the Oklahoma Biological Survey for less than \$100,000. This could be accomplished by adding the Oklahoma Biological Survey to the list of agencies with whom the Secretary of Agriculture is to enter into cooperative agreements (Section 14.d).

We are confident that the U.S. Forest Service would properly protect sensitive areas identified by the survey. Therefore we believe that there is no need to delay passage of this bill and the creation of the various protected areas pending completion of the inventory.

As you are aware, a bill similar to S2571 was introduced into the house by Representative Wes Watkins and is known as H.R. 4354. It has been through the house committee process and has been approved by the House of Representatives. It contains some language which, in the view of the House and The U.S. Forest Service, makes improvements over S2571. The Nature Conservancy believes that your committee should consider adopting these improvements.

However, you may be assured that, in either form, creation of the Winding Stair Mountain National Recreation and Wilderness Area has the full and unqualified support of The Nature Conservancy.

I would be delighted to attempt to answer any questions that you may have.

Senator NICKLES. Mr. Kirby, thank you very much. When you mentioned diversity and you mentioned the stand, you are saying about for a 40 acre tract that it is your thought that we should dictate the composition between hardwood and pine?

Mr. KIRBY. Excuse me, sir. Stands will vary in size. They tend to be smaller areas, as you suggest, of trees with a uniform characteristic like age or species. So they may vary in size. But by keeping it small, it will limit type conversion.

Senator NICKLES. What about 5 acre cuts? Like if you had some people that went in and did a 5 acre select cut for—I do not know what it might be—firewood or for fence posts or whatever? But you would still want to have that type of diversity mandate even on that small of a section?

Mr. KIRBY. Generally the cuts for uneven-aged management, which is what you are mandating in these special areas, tend to be half an acre or less.

Senator BOREN. Half an acre or less.

Mr. KIRBY. Yes. So there actually would not be cuts up to 5 acres within the NRA or the Wildlife and Scenic Area. And the advantage of that, Mr. Nickles, is that it mimics nature. Nature in the East, particularly, tends to have small openings in a forest through blowdowns, for example, or ice storms. So by having these smaller openings, it tends to be like nature, and as a result, produces a more natural and pleasing forest, we think.

Senator NICKLES. You are afraid if we do not do that, you are going to have all pine?

Mr. KIRBY. We are concerned that if the language that is in the House bill is used, there could still be conversion of hardwood/pine forest to pure pine. So, we would like to bring the requirement down to the stand so that it would be pretty difficult to do that.

Senator NICKLES. I have no further questions.

Senator BOREN [presiding]. Thank you very much. We appreciate both of you appearing, and I will read the testimony in the record that I missed while I had to go to the floor and vote. And of course, we will also include the written testimony of Mr. Herb Beattie who was unable to attend the hearing today.

[The prepared statement of Herbert S. Beattie can be found on pages 73 and 74.]

Senator BOREN. Our next panel will be composed of Mr. Kent Robinson, public policy analyst with the National Forest Products Association in Washington, DC, and Mr. Gene White of Heavener, Oklahoma, well-known to this Senator, and I am sure the others of my colleagues here, a long time friend of all of us around this table. We appreciate having both of you come and appear with us today.

And let me say that, again, we will receive your full prepared statements for the record. We still have one more panel to go so as much as we can go to the core of the arguments that you would like to make, it would be appreciated, and that will give us an adequate amount of time, then, for our last panel as well. We will begin with Mr. Robinson first.

STATEMENT OF KENT ROBINSON, PUBLIC POLICY AND PROGRAM ANALYST, THE NATIONAL FOREST PRODUCTS ASSOCIATION, WASHINGTON, DC

Mr. ROBINSON. Thank you, Mr. Chairman. My name is Kent Robinson, and I am a policy and program analyst with the National Forest Products Association. NFPA is a national trade association representing the forest products industry. We have over 750 member companies and allied organizations, and many of our members rely on timber from the National Forest System, including the Ouachita National Forest, for their raw materials supply. We very much appreciate the opportunity to address this body to provide our views on S. 2571 here today.

Our comments are directed toward only those sections of the bill that, in our view, will set onerous national precedents.

We urge the committee to delete section 13 of S. 2571. This section represents an unprecedented call for specific management prescriptions on national forest land designated for multiple use. And this would be the lands outside of the designated areas.

Senator BOREN. Outside the designated areas. I think we have already pretty well reached agreement to do that, to delete that section.

Mr. ROBINSON. We feel that the language would constrain the ability of the local Forest Service personnel to manage the land in accordance with existing land management policies and plans developed under the congressional direction of NFMA.

The National Forest Management Act of 1976, as you know, ensures that public involvement happens in the forest planning process, and ensures that scientific methods are utilized to develop the management programs. And it allows, most importantly, the Forest Service field officers the discretion to address local problems and changing circumstances using their professional judgment. NFMA allows us to revisit the forest plan every 10 to 15 years through the revision process and also to amend the forest plan as is needed. And in fact, we have that ongoing on the forest right now, and we feel that that is the place that much of these questions should be addressed, the management prescriptions.

Finally, we appreciate that the House Interior Committee deleted from the proposed statute references to specific responsibilities for the RedArk Development Authority. Also, the committee left final approval of an amendment to the Ouachita plan with the Secretary of Agriculture, instead of leaving oversight responsibilities with the special interest group. However, language in the House Interior report directs the Secretary of Agriculture to designate a local advisory group to help prepare a section of the amendment to the plan. Further, the report directs the Secretary to consider the RedArk Development Authority and others for participation in the advisory group. We oppose any special consideration for a specific group to direct the Forest Service in the planning process. The planning process would be severely crippled, and the public participation process thwarted if the special consideration to oversee or prepare sections of national forest plans were afforded to the other many other worthy and eligible groups across the country.

We urge the committee to delete section 13. Also, we ask that language be included in the bill that opposes any special consideration for specific groups to direct the Forest Service in the planning process.

That concludes my prepared remarks, and I would be happy to answer any questions.

Senator BOREN. Thank you.

[The prepared statement of Mr. Robinson follows:]

STATEMENT FOR THE RECORD

OF

THE NATIONAL FOREST PRODUCTS ASSOCIATION

BEFORE THE

SUBCOMMITTEE ON CONSERVATION AND FORESTRY

COMMITTEE ON AGRICULTURE

UNITED STATES SENATE

ON

S. 2571, THE WINDING STAIR MOUNTAIN NATIONAL RECREATION AND
WILDERNESS AREA ACT

The National Forest Products Association (NFPA) is a national trade association representing the forest products industry. NFPA represents over 750 member companies and allied organizations. Many of our members rely on timber from the National Forest system, including the Ouachita National Forest, for their raw material supply. We appreciate the opportunity to provide our views on S. 2571, the "Winding Stair Mountain National Recreation and Wilderness Area Act."

Our comments are directed towards only those sections of the bill that, in our view, will set onerous national precedents. We support the views of our members affected by the legislation on specific boundary designations.

We urge the committee to delete Section 13 of S. 2571. This section represents an unprecedented call for specific management prescriptions on national forest land designated for multiple-uses. Moreover, this language would constrain the ability of local Forest Service personnel to manage the land in accordance with existing land management policies and plans developed under congressional direction and with full public involvement.

Forest management standards and guidelines are a product of the forest planning process as developed by Congress through the National Forest Management Act of 1976. Forest plans are developed in a fashion which: (1) insures public involvement in the forest planning process; (2) insures that scientific methods are utilized to develop management programs; and, (3) allows the Forest Service field officers the discretion to address local problems and changing circumstances using professional judgement.

The forest planning process provides the opportunity to re-examine and revise direction for each Forest every 10-15 years as conditions change. Prior to revisions, a forest plan may be amended to reflect needed adjustments. The forest plan amendment addressing the concerns expressed in S. 2571 on timber management is being developed, at the present time, on the Ouachita Forest. Congress should not preempt this ongoing process. It is important that the Forest Service retain the flexibility to make needed adjustments in management prescriptions on national forests through the planning process.

Finally, we appreciate that the House Interior Committee deleted from the statute references to specific responsibilities for the RedArk Development Authority. Also, the Committee left final approval of an amendment to the Ouachita plan with the Secretary of Agriculture, instead of leaving oversight responsibilities with the special interest group. However, language in the House Interior report directs the Secretary of Agriculture to designate a local advisory group to help prepare a section of the amendment to the plan. Further, the report directs the Secretary to consider the RedArk Development Authority and others for participation in the advisory group. We oppose any special consideration for a specific group to direct the Forest Service in the planning process. The planning process would be severely crippled and the public participation process thwarted if the special consideration to oversee or prepare sections of national forest plans were afforded to the many other worthy and eligible groups across the country.

We urge the committee to delete Section 13. Also, we ask that language be included in the bill that opposes any special consideration for specific groups to direct the Forest Service in the planning process.

Senator BOREN. I think we will go ahead and let Mr. White go ahead and make his opening statement, too. I assume you have an opening statement?

Mr. WHITE. I have a small one.

Senator BOREN. Now your credibility was real high until you said it was just small. Why do we not go ahead, Gene, and hear from you now, and then we will direct questions to both of you.

Mr. WHITE. Fine.

**STATEMENT OF GENE H. WHITE, TIMBEROWNER AND OPERATOR,
PRESIDENT, BURNETT LUMBER CO., HEAVENER, OK**

Mr. WHITE. Senator Boren, Senator Nickles, and Congressman Watkins, I really appreciate your allowing us to be here. I think that this hearing is more open than the House hearings were as far as hearing our position, and we appreciate that.

My family and I reside in Heavener and we have operated a lumber plant for about 20 years. Currently I am retired and besides fishing I buy and sell rather large quantities of private timber adjoining this National Forest.

I know that you have been bombarded on this—Wes has for a great many years—from every environmentalist group and hunting group and lumbering group in the country before you came up with this bill. You have heard people here today, and at a meeting recently in Poteau with Senator Nickles. We also heard from environmental groups that your passage of this bill will not change their bombardment. As a matter of fact, it has increased.

You have been requested here in the last 10 minutes to extend the range of this bill, take more land out of productivity. Environmentalists, as you are aware—I think you are aware—collect wilderness. The problem seems to be when you get enough, when your collection is filled, and if it is filled, how are we going to manage it, and what are we going to do with it.

If environmentalists are allowed to continue helping themselves to public lands, many people who have jobs there will lose them. The problem I see with the bill and the language, as you have described many times, and it has been stated here, are the words "in sight of Skyline Drive." The Forest Service has already implemented the plan "in sight of." And that includes all of the pine land in the Ouachita Forest in Oklahoma except 10,000 acres. So that is a 200,000 acre bill because the words there are "in sight of."

And as you explained, you can see far farther than the lines of these regulated areas. And the bill contains the words "in sight of." So "in sight of Skyline Drive" they are very restrictive on their cutting practices as a matter of application today because of this bill.

Senator BOREN. Current practice?

Mr. WHITE. Current practices because of this bill. They have already changed their practices to meet the needs of this bill. Again, I oppose the bill because it establishes precedent with Congressmen doing forest policy work on a day-to-day basis. Nature, as you all know, is neither benign, as some believe, and it is not as fragile as others would believe.

When we have a natural disaster, which is going on in the western forest right now, preservationists have already stated and countered with statements of nature's great recuperation policies and powers. Yet when we are similarly confronted with man's developments, they speak of irreversible damage that will result.

It seems like you should not be able to have it both ways, but I believe they do. I do not know how many more times we are going to hear Secretary Hodel speak of the qualities and the good things that are going on in the West because our forest is burning off. And he has been quoted many times repeatedly that the best thing that has happened to this forest is the fire that we have there now.

You all just passed a trade bill. I do not know how many more times we can take a whole national forest out of production when we are a large importer of timber products, and what manufactured product are we going to export to make up for that loss in productivity. I do not know how many more we can do that. Timber and timber land cannot be set aside, I think we should know, like a piece of art and remain the same.

You do not stop Mother Nature from evolving by congressional action. Wilderness forests grow old and deteriorate and die. There is no such thing as a living museum, and to live means to change. The regulations you have in this specific bill from a timberman's point of view and from a Forest Service point of your view, I think the Forest Service is less likely to speak out with you on these issues. However, timber regulations are so complicated and expensive at this point as to make the production of timber not economical and not feasible. I like to compare that to our nuclear power. You all have not passed laws outlawing nuclear power, but we have regulated it so and allowed regulations to happen to where it is so expensive, it cannot happen.

That is what this kind of bill does to our forest as far as producing timber. Now if you wish, as Congressmen and Senators, to close forests to timber cutting, I guess I can live with that. But to pass a bill that just regulates it out somehow does not set that well with me. If we do not clearcut timber, we take that as a tool. Forest Service has never clearcut everything they did. All of their past is in selective cut. Clearcutting came about as a result of failure of clearcutting. So if we do not clearcut and plant, we condemn ourselves to growing a smaller volume in the area of one-third, not a third reduction, but the area of one-third of lower quality timber because we cannot improve the quality where we have poor stands.

And we condemn ourselves to that for the long-term future. I do not believe that you in the Agriculture Committee would agree with that on our small grain farms. I do not believe that you would do that. The removal of timber from the Forest Service causes a terrific pressure on the adjoining private land, terrific pressure. It has already caused it.

Adjoining private land will be cut without any kind—under this pressure—will be cut without any kind of replanting. So this bill is going to be responsible for the denuding of pine trees from probably one-quarter of a million acres joining this forest. I am personally already aware of a 40,000 acre tract. I sold it because of this bill. So this bill is responsible for denuding private land that adjoins it.

It is kind of a balancing act because it provides timber in the meantime.

Senator NICKLES. But will they not be replanting?

Mr. WHITE. No, sir, they will not be replanting. There are no plans for it.

Senator NICKLES. Would they have been replanting anyway?

Mr. WHITE. If there was not such a push, they would have been cut in a seed tree fashion with trees left to seed the ground on their own. As it is, it is being cut completely.

Senator NICKLES. Mr. Chairman, excuse me for interrupting. But I have heard Mr. White mention that before, and that is one of the things, I guess, that bothers me, and I do not know the forestry business as he does, or somebody from the Forest Service, but I am bothered when I hear him say that people in the private lands adjacent to the public lands—correct me if I am wrong—would be harvesting timber by clearcutting and not replanting. We do have those clearcuts, but we do have replanting. So you could go out and see, hey, that is 5 years ago, 10 years ago, or wherever. And I do not know if it is economics or what, but if they do not replant, we are going to have some real scars.

Mr. WHITE. We do not really have the scar. What we have is conversion. And our country, basically if we go back far enough in history, is all pine country with hardwood exceptions. Right now it is primarily hardwood with pine exceptions because when we have cut the pine in the manner that is happening on this private land, the hardwood takes over. So we look like another massive hardwood area between us and McAlester, as Wes knows.

Much of that used to be pine country. But when the pine trees are cut and not replanted, or not regenerated by seed tree manner or some manner, then we have converted it to hardwood, and that is what will happen to all this, and hardwood in our country is a bush. It is not a merchantable species. It is a bush. It does feed the wildlife, but it is a bush.

Anyhow, to add to this, this Senate bill 2571, wants to take jobs from people that have jobs today. For the most part, these people at home are not here and they are not represented. They do not know they are about to lose their jobs as a result of this legislation. I do not think they believe that we send people here that will pass legislation that intentionally takes their job.

They are kind of from a culture that says you work hard. Things will get better. They are pretty easy prey to a group of legislators or organized predators known as preservationist groups. They are pretty easy prey to them. Those people work. They rarely ever vote. I am talking about our loggers who have heavy investment in logging machinery who are hauling these logs to Oklahoma and Arkansas mills. They are currently doing that. Most of them probably have from \$200,000 to \$500,000 worth of equipment.

We in Oklahoma—you have been the Governor—can appreciate that. We have a reputation of being anti-industry. I think you all know that. From our regulations, apparently we have in States that join us, we are not just quite as competitive as the other States. This bill is one more that quite obviously applies only to Oklahoma and not Arkansas. Anyone in the wood business would

be quite foolish to place a plant in Oklahoma now when we can put it in the next State.

Arkansas does not have this bill. I am talking about woodworking industry. Now maybe it is best to eliminate woodworking industry. This bill does that. It just does not say so. Somewhere at the base of the mountain—I talked to Senator Nickles about this—or top of the mountain, as a result of this \$15 million, I guess we are to have some kind of a tourist facility. My preference would be, with our experience in Oklahoma of lodges on lakes built with State ownership and Federal money that we have defaulted on, my suggestion would be that we use this bill to create a recreational opportunity, and that we allow that opportunity to allow the private industry to develop on public land and bid for those leases with specific guidelines.

And if private industry does not choose to bid, then I would assume it is not profitable. And if it is not profitable, I do not believe the Government should do it if it is not profitable to private industry. I think that is a fair test.

This particular method is used on the lakes I spend my time on in Arkansas for their lodges. It is successful, successful nationwide, is to let the Government provide the opportunity, not the money. And if there is a true need of development, private industry will do that.

I think I will skip most of this. You all would probably appreciate that. [Laughter.]

One more thing I would like to say. It is my own personal desire, as far as our county, I like Wes, and we do not work against each other. We both work for industry. We try our best. We sometimes run in different directions. It does not make us different. We are working for the same thing. It is my desire that the preservationists' ideas in the cities and towns outside of ours, including our own of Tulsa and Oklahoma City, do not place restrictions on our forest in our county—I realize it is a national forest—that takes jobs away from our people for the pleasure of them to come and visit our community on a weekend.

We need good permanent jobs. I make a living in the county. I want for my children or other people's children to remain in our county if they choose to and have a job. And I do not want that to be restricted by those people who have voted restrictions on us to use us for a weekend hangout.

We want permanent jobs. These forest jobs are permanent jobs. Tourism is an unproven permanent job. In Wes' last hearing in Poteau, that you have stated about in this meeting, the Wildlife Federation stated that our Oklahoma Tourism Department stated had we put the wilderness areas in at that time, the first year we would have \$2.8 million in tourism revenue and that was a very conservative issue.

At a recent hearing of one of our fellow people, we have had a wilderness area adjoining us in Arkansas for 5 years. The Chamber of Commerce has not one recorded request. I do not suggest no one has ever been there, and no one has ever spent any money. There is not one recorded request for information, for a map, I want to go out there, where do I go. I am sure someone goes, but the numbers we are using for tourism are blue smoke. The numbers we use for forestry are documented and have been on the record for 30 years.

I think the Forest Service, who is here, is very intimidated by you all, and I feel bad when they apologize to you about their past practices. They inherited the forest when it was cut over, and it is not pristine now, and it is not virgin. It is there when it was cut over and desecrated, and all of the wildlife was gone. Turkeys were extinct. They are now hunted in just about every area of Oklahoma.

It is under their management, not in spite of their management. I recognize that maybe they have got out of hand on the clearcutting. And I think that they are adjusting that. I do not know that they need this sledgehammer of a bill to correct them. This particular bill would give the weakest of our forest supervisors kind of an excuse. Now if he fails, it is your fault. You passed the law.

I think that is difficult when we set precedent by legislating specifics into a bill. To kind of wrap it up, I would respectfully ask you all to vote no on the whole bill. Considering that you cannot do that, I would respectfully ask that you delay it for at least a year and look at the data and collect as much data about the situation as you can and see if the changes are being made without the passing of this legislation.

I respectfully ask under no circumstances that you put \$15 million or any other money into this bill, that you allow the Federal Government to present an opportunity for private development. I would respectfully ask that if you chose to pass the bill that you cut the bill back to the approximate 14,000 acres of designated wilderness area and pass it only. I would respectfully ask that if you pass the wilderness designation that you allow the ranger in charge or the supervisor to put out the fires in the wilderness by any means.

Now I am aware you have testimony otherwise to that, but that is not the past practice. I would ask the committee that if you do pass the bill, and we do not allow fires in the forest that you allow, and in your bill specify the plentiful use of herbicides and other manners for the Forest Service to use. You have taken away most of their tools for reforestation. And they need their chemical tools just like farmers to get the new crop back.

I think the groups here will fight them on every herbicide issue. They are currently doing it. It is one more tool. That is what Mr. Leonard was explaining. He cannot get a pine tree stand back under these rules in most occasions. Are you going to allow us to use our other tools to renew that stand?

I would also ask that you do not provide money for this bill or for the Tall Grass Prairie which I know you are a part of it. My philosophy has not changed now from either time. We are not opposed to Tall Grass Prairie. I am opposed to ending any fiscal year of the Federal Government with the Federal Government owning more land than they did last year. So if you wish to buy Tall Grass Prairie or we want to put money into this National Forest to expand our land, let us sell or trade some nationwide and reacquire. That is the way the Forest Service works now, and it works beautifully.

But let us not end every year with the Federal Government in our country being a larger owner of property—both forests and

grass and every other manner. I do not think that any of you philosophically would disagree with that.

But if we keep funding the bills, and not trading the land, or selling the land, that is the only place we can go. On that basis, I do not oppose Tall Grass Prairie Reserve. I oppose this Government owning 50,000 more acres next year than it did this year. I thank you for your time.

Senator BOREN. Thank you very much, Gene.

[The prepared statement of Mr. White follows:]

STATEMENT OF GENE H. WHITE, TIMBER OWNER AND OPERATOR,
HEAVENER, OKLAHOMA

Mr. Chairman, members of the committee, I appreciate this opportunity to present my views on Senate Bill No. 2571.

My family and I reside in Heavener located in LeFlore County, Oklahoma. I have owned and operated a lumber manufacturing plant in Heavener for over 20 years and am currently retired from that business. I continue to purchase and market large quantities of pine timber.

The US Forest Service in the past and currently has done an excellent job of managing the national forest in our area under the multiple-use concept. The areas in question are in question today, not because they have been reserved or saved or preserved by the Forest Service, but because they have been created and protected by the Forest Service under current policies. The Forest Service currently has the authority and latitude to protect this property through the planning and decision making process of professional resource managers. I ask that the Forest Service be allowed to adhere to and continue that policy of multiple use as established by law.

I know you have been bombarded with information from the environmentalists stating that if you do not do this now, the land and timber will forever be gone and lost to the people. I hope you know that when you pass this bill, you will have a visit from these same environmentalists the next day asking you to expand this area of concern. I have recently attended a meeting held by Senator Nickles where those specific requests for expansion have already been made. Environmentalists collect wilderness. The problem lies in deciding when your collection is complete. If the collection is large enough, there is the problem of upkeep and management to consider or the treasured objects will waste away and lose value. The problem with environmentalists is not knowing when enough is enough. If environmentalists are allowed to continue helping themselves to public forest lands, many who depend on the resource for their livelihood will lose their jobs.

This bill, S. 2571, permanently removes the majority of pine timberland in our Oklahoma Ouachita National Forest from future use or development as a crop. The bill directly effects over 80,000 acres and indirectly effects all of the rest of the Ouachita Forest in Oklahoma. The Oklahoma Ouachita National Forest contains only 210,000 acres in total. The bill leaves a mere 10,000 acres not effected by it's statutes. More than 80,000 acres directly effected and specified. The balance has only 40,000 acres of pine producing land and all but 10,000 acres of this is visible from Skyline Drive. The words visible from Skyline Drive are part of the bill in question and the US Forest Service has already made plans with this visible from Skyline Drive a part of their future plans.

Page #2

S.2571 establishes precedent in stating exactly which methods of timber harvesting may be used on exactly which lands. I am confident that in the future the Forest Service will look to congress for any other suggestions about how to operate the forest from planting trees to harvesting and you will be asked for a bill to that effect.

S.2571 goes beyond guidelines of how to operate a forest asset. It goes into detail. I would assume that future employees of the US Forest Service will have no need of forestry degrees. If we are not going to let them think or create with their training and knowledge then anyone can do the job. If we are going to write a rule book and pass this rule book into law for every acre of Federal land with specifics, then any intelligent being or fool can operate the Federal Forest lands. If something is not going right, then congress can pass another law.

According to this bill, you would like for the Forest Service to grow trees without using their tools or knowledge and they do not understand why we would want to grow a crop of trees when it is against the law to cut and use those trees. Maybe we are growing them so that we can have a spectacular fire every 50 years or so and have all of the environmentalists say "finally something good has happened to this timber", "it is burning and everybody stand back and watch for the new growth". The people who would oppose the cutting of timber can not wait for the fire to burn this resource so the grass can grow. Can someone here explain to me the beauty and cost effectiveness of burning the forest verses the cutting of timber for human need and use. We recognize the cutting of timber is not one of the more beautiful things to go on in the forest; However this cutting is done in an organized and managed way with the land and tourists and wildlife in mind and is the harvesting of a crop we planted in our lifetimes. Compare this management and land appearance to a freshly burned forest from uncontrolled wildfires.

Nature is neither benign, as some believe, nor as fragile as they would have us believe. When a natural disaster occurs, preservationist interests counter with statements about nature's great powers of recuperation. Yet when similarly confronted with developments by man, they speak of the irreversible damage which will result. They can't have it both ways. Or can they?

How many more times will we here Secretary Hodel say that the burning of our forests both in and out of Wilderness areas is needed and a good thing for the land. The production of timber provides jobs, income to counties, schools and an exportable product. What we produce,

Page #3

we do not need to import. Environmentalists have portrayed these fires as a blessing in disguise. Why should good thinking people allow fires to harvest our overage forests? How can a person interested in production of wildlife in an overage forest prefer a fire to timber harvesting by man? How can timber harvesting by man be called a disaster and the setting of fires by nature be called a blessing? How can we protect endangered species in a wildfire?

Timber and timberland cannot be set aside like a piece of art and always remain the same. One does not stop the forest from evolving at some desired state by congressional action. Wilderness forests grow old, deteriorate and die. There is no such thing as a living museum. To live means to change.

S.2571 establishes about 14,000 acres of Wilderness Designation and places the majority of the balance of the forest land under severe cutting regulations. I like to compare S.2571 to the reality of our nuclear electrical power situation in this country. We have not passed any federal laws saying the production of nuclear power is against the law. We have passed laws and allowed regulations both realistic and unrealistic so as to make it not economically feasible to build plants and produce nuclear power. This is exactly what this bill does to the timber cutting on the Oklahoma Ouachita National Forest.

S.2571 makes regulations on the Ouachita complicated and expensive enough so as to make the production of merchantable timber and the harvesting of that timber unfeasible.

Selective cutting as the only way of cutting timber in the Ouachita was given up about 15 years ago because of its failure to produce a new crop. The failure rate in the Ouachita was about 80 percent. We discovered that selective cutting with a heavy bed of pine straw and leaves on the ground kept the pine seed from sprouting and taking root in the soil. Hardwood, which is a bush in our part of the Ouachita, and the remaining pine trees kept this mat of straw and shaded the earth too much for the new pine crop to get started. Simple genetics will tell you that a standing crop of trees dropping seed, if successful, will produce a crop of trees of like kind to that which is standing and producing the seed. In many areas of the forest we have and had a very poor quality of seed trees seeding another crop of very poor quality trees. I mean to say that a crooked tree plants and grows crooked trees just like the seed tree. With the

Page 74

poor stands we were growing due to selective cutting and the poor quality of tree we were getting seeded from poor quality seed trees, many areas were in need of being cleared off and replanted. This was the advent of clear-cutting in the Ouachita. Superior tree seed was used. Superior tree seed is simply the gathering of cones from a tree growing with others in the same area and in the same conditions, but out performing the others in height, straightness and size. These seeds gathered were planted in a nursery and transferred to the land after a clear-cut. Clear-cutting causes the disturbance of far less acres per year due to higher production by cutting all of the timber on those acres. Clear-cutting should cause far less pollution of streams because research has proven many times in our area that soil erosion is caused very little by the removal of the trees, but increased substantially by the building of roads. It should stand to reason that if we disturbed fewer acres and built fewer roads to get a certain volume of timber that we would have less soil erosion. Selective cutting when successful has the potential to grow only 1/3 the volume per acre as clear-cutting and planting.

So, if we do not clear-cut timber, we condemn ourselves permanently to growing a smaller volume of timber, to growing a lower quality of tree and to disturbing far more acres per year. Instead of having a forest with a continuing increase in production such as farming of small grains, we condemn ourselves to an ever shrinking supply of timber.

I would like for this bill to be cut back to the prox 14,000 acres of wilderness designation and leave the rest of the forest alone. The people who would use and appreciate the wilderness concept are few and all the rest of the forest is available to their use under the multiple use concept.

The reduction of timber production causes prices to go up. Far too few people can now afford a new home made with these wood products.

The removal of this timber land from production causes and immediate pressure on surrounding private lands. For the moment prices will rise, greater removal of timber from private lands with no replanting will result and another permanent loss of producing timber land will result. In the long run timber plants will close and be further away to where both public and private timber will no longer have a market due to this distance.

Page #5

You have just passed a trade bill. Our trade is out of balance. What can we do about this problem? We are a very significant importer of wood products and always have been. How many times can we remove another whole national forest from production permanently. What product are we going to manufacture and export to make up for this lost forest production?

S.2571 is taking jobs from people who are employed today in the timber industry. The people from whom you are taking these jobs with this legislation are not present with us today. If you were at my home county today, you would find all of these people working very hard at their forest jobs with large amounts of sweat on their brow trying and succeeding to feed and cloth their families. These people have machinery payments to make and obligations to their children in college. They do not have time to appear here in Washington. For the most part, they do not know they are about to lose their jobs as a result of this legislation. They keep their nose to the grind stone and are not up to date on issues settled on a national basis. They do not believe that the people we send to Washington would try to pass legislation to remove their way of making a living. They are from a culture that says that if you work hard, things will always get better. They are easy prey to a group of legislators or organized predators known as preservation groups. You should not get too concerned because most of them have considered themselves too busy to vote. After all, from a politicians point of view, if they do not vote, who cares and what can we hurt.

Timber production is now in second place for income in our county. Timber production has never been in a lower position than second place. Timber is our only renewable resource in this nation. Timber in our county has proven itself to be the only renewable resource over and over again. While we stand here today, our county's timber resource is proceeding with it's own renewal and taking care of it's part of our future.

We, in Oklahoma have a reputation of being anti-industry. I do not know if we deserve that reputation in it's entirety, however; the fact remains that we are not one of the most competitive states seeking industry in our area of the country. We have not passed any laws, that I know of stating that the keeping of old industry or the solicitation of new industry is against the law. We do have on the books, many laws that put us in a position of not being competitive with adjoining states. We do have many tax laws and insurance programs that tend to make us less than competitive. Some day, I hope, we will

Page #6

realize that in seeking new industry and holding on to the old industry that whether or not we approve of these old laws and regulations is not so important as our being competitive with other states.

S.2571 is one more law applying only to Oklahoma that makes us less competitive with the adjoining states, particularly the good State of Arkansas. No wood working industry in it's right mind would locate a plant in the Oklahoma Ouachita with these rules when those same rules and regulations do not apply in Arkansas. The plants will remain in Arkansas and will send logging crews to cut the timber sales that manage to be sold at a cheap enough price to put up with these new regulations.

As for the 15 million dollars attached to this bill. The best industrial money spent in our county over the last 20 years has been the money spent on upgrading the highways from our county to Fort Smith, Arkansas so that our people can more readily travel to their job in the next state and still live in their homes they own in Oklahoma. Between 8 and 10 thousand people travel from our counties each day to Fort Smith, Arkansas for work. I would suggest that if we spend 15 million dollars, it be used for roads to where jobs are currently located rather than for the closing of our forest to timber production and the permanent removal of our current forest jobs. I will continue to believe the old saying of "A bird in the hand is worth two in the bush". We have these forest jobs now. This bill eliminates these jobs. The "bush" is the tourist industry that has nothing but "blue smoke" to sell. The current forest and timber industry pays a known, exact computable tax contribution to the counties, roads and schools. The tourist industry "Bush" has no tax contribution of record now and can only project what it might be theoretically if tourism changes to some theoretical level.

We will have somewhere at the base of the mountains or on top, "a new tourist facility", with some politicians name on it. Has Oklahoma and it's state and federal legislators learned nothing from it's experience of government owned tourist lodges on our lakes. This experience is a complete failure financed by federal money and defaulted by the State of Oklahoma. I would suggest that in our case the areas you wish to have developed in and around the forest be open to lease to private industry with specified standards for development. If no private industry bids for these leases, then I would assume this effort is not feasible at this time. This method is not theoretical. It is tried and proven on many public lands and lakes and it works. I have always

Page #7

found if private industry can find no profit in an unproven resource that government has no business trying in the same area. We can all find a great many instances of those attempts by government and all are failures.

Have you Oklahoma legislators ever thought or wondered about why our Eastern border with Arkansas is one of the most impoverished and desolate parts of Oklahoma and is bordered by Arkansas's most prosperous and developing industrial area. In many cases the industrial development is only a foot over the State line. This is the same type of country and land and natural resources. The State line is only an imaginary line across an open field. All along this line from the North, South length of Oklahoma our people must go to Arkansas for work. This same imaginary line also travels all along our border with Texas with the same results. I cannot speak for our other borders as I am not familiar with those conditions. Surely, we must search deep into our laws and regulations to find out why this is so. The results of that search will always be the same, we are just not as competitive with our laws and regulations and by that means do deserve the label "anti-industry". S.2571 is one more "anti-industry" law and one more nail in our coffin.

Eastern Oklahoma holds the vast majority of the public lands and lakes of Oklahoma. These public lands and lakes are all old, meaning we have had them for a great many years. If tourism is to be our salvation in LeFlore county in the forest, why is all of Eastern Oklahoma included in the poorest part of the State. I do not pretend that tourism is not a factor in our economy or in Eastern Oklahoma or that it will change for the better or worse in the future. I only state that the doing away with the forest industry in our area by legislation here today is not what is best for our county or for Oklahoma. We must remember that we have today a great many forest jobs and we have the resource of timber for sale available. This bill removes our present jobs and without question, forever more removes our potential industry in wood related products.

We are observing a continuous exodus of people to urban population centers; 70 percent of our U.S. citizens live on 2 percent of the land. Rural areas contain one-third of the population, half the poverty, two-thirds of the substandard housing, yet receive only one-fourth of the income. How many of us have watched our hometown populations dwindle? When a new industry does build in a rural area, it barely supplies jobs for those already in the community.

Page #8

Underpopulated small towns are becoming less able to provide needed services. Yet we know that the people will go to the jobs. If we put jobs in the cities, they will come. If we put jobs in smaller communities, they will come. They will build homes and build up the services that the town offers and revive that small town.

The big frustration in the environmental cause versus jobs battle has been that those who are being hurt seem to have no recourse under the law. It sometimes seems that any ding-a-ling can stop the economic activity on which forested areas depend, but those who are being hurt, particularly those who are being put out of work, have no way of fighting back.

It is my desire that those people with preservationist ideas living in cities and areas outside of ours not help place restrictions on us that prevents our growth by promoting designation of these Wilderness Areas and other restrictions on our forest.

I think we need to consider what we exist for. I make a living in Leflore County, Oklahoma. We do not wish to exist just to be a place to furnish scenery, water, and natural resources to people far away in urban areas to come down once in a while to take a look while we remain impoverished. We want to use our resources to furnish jobs and keep our young people in the area if they choose to stay. We want a way of taking care of our own needs, and we are not going to get that chance just simply by an economic impact from visiting a wilderness area that maybe they visit once in a lifetime.

I will make one concession. Approve the 14,000 thousand acres of Wilderness Designation. Throw away all of the rest of the bill.

I beg you, do not pass this bill S.2571.

I thank you for this opportunity to speak.

Page #9

We are here today as a result of a land grab by so-called conservationist and preservationist groups. We are also here today as a result of wildlife groups complaints that the cutting practices in the National Forest, namely clear-cutting, is detrimental to the raising and proliferation of the primary hunted wildlife species. This complaint has been repeatedly lodged in spite of their own state and federal wildlife departments who state otherwise. The kill rate or harvest rate of the deer and turkey has been on a continuous increase since the implementation of clear-cutting in the national forest about 15 years ago. This kill rate has increased in spite of the fact that these deer and turkey have become common in nearly every county in Oklahoma. Because the deer and turkey are now prolific all over Oklahoma, the hunting pressure and number of hunters using the national forest lands is in a continuous decrease. This indicates that fewer and fewer hunters are killing more and more of the species during the legal hunting seasons. This hunting success is happening in spite of uncontrollable and ever increasing year round poaching of these species. Much of this poaching is being done and has been done by the members of the very clubs and organizations who have helped bring this bill this far. Wildlife departments with the co-operation of the US Forest Service in all the years of select-cutting of timber were engaged in a program of cutting "open areas" within the forest boundaries to increase the food supply in a mature shaded forest. At the inception of the clear-cutting policy about 15 years ago this practice was stopped and unneeded as a result of the clear-cut openings. The clear-cut openings have increased the areas available to grow food and therefore been responsible for the increase in wildlife populations and kill rates by hunters. I find difficulty in understanding why cutting openings in the forest for wildlife food sources by wildlife departments is good and clearcutting as a method of harvesting of timber is bad. I find this especially difficult to understand when the clear-cutting has proven to be more successful in increasing wildlife populations than wildlife departments ever were in the cutting of openings. Hunting of wildlife groups have opposed the building of better roads for cutting timber. I say better roads because no single area of our national forest is without roads built by past loggers and used by hunters as 4 wheel drive trails for more than 50 years. The improvement of these roads allows real access to our mobile US citizens to their forest for the first time. The hunters object to these quality roads on many grounds, but the real objection they do not talk about is these roads cause them to share with the general public what has been their private domain. These roads

Page #10

not only allow public access but become the most important tool for the forest service to prevent and contain wild-fires set by nature or man. These roads do allow better access to the areas for members of these hunting and wildlife clubs to poach the wildlife. These groups are not able to police their own membership and have not made substantial efforts to do so in the past. These groups have suggested to you that the solution is to close off all of these roads and not build any in the future. These groups have requested and been allowed the closing of these roads in all seasons except hunting seasons. The general public is forbidden to see and use their public lands except during hunting seasons when they may be in danger of being shot. Everyone does not appreciate and approve of the killing of wildlife for sport. Many would like to visit the forest at times other than hunting seasons with shots being fired and just observe and appreciate the wildlife. The cutting of timber results in allowing more public access to the public lands, not less and no timber cutting has ever resulted in the public being forbidden to use public lands. The wildlife hunting groups have already been successful in shutting the general public away from their public lands. A statement you will hear from me and the wildlife groups is that most game species of wildlife live in a managed forest. S.2571 removes most of the ability of the US Forest Service to manage this forest.

Forest supervisors are intimidated by you and the house committee. They are more likely to apologize to you for their past practices rather than defend those practices. We should consider that we have the productive, beautiful managed forests because of their past practices, not in spite of those practices. These supervisors will do everything you make a part of the law and more if you make their day to day forest management into detailed law. These are educated foresters. They were hired by you because they were educated foresters. They have in hand all known data to make scientifically correct decisions to promote the growth of wildlife and timber. This data changes as new research and experience become available. The Forest Service has always been in a state of continuous change to implement new information available to better manage our forest resource. I think you members of this committee already know that if you make these decisions for the foresters and make them into law that they will obey and you will have no protest. After-all you are their employer. Your law will even give the weakest of your foresters relief. Since you made the law and they abided by that law, then upon it's failure, it is your fault and not theirs. This leaves us

Page #11

in a typical government situation with no one at fault and no one responsible, the problem does not get fixed. Many of our problems in government programs have always been a result of government hiring intelligent, educated beings and refusing to let them practice with that knowledge and education. I doubt that you will hear this from your forest supervisors, but I believe many are dying to ask. The Ouachita National Forest was not owned or put under the management of the Forest Service in it's original, pristine state. This forest was taken over for taxes and purchased in a ruined de-forested state with little to no wildlife. When I came to the Ouachita, there was no deer season and turkeys in the Ouachita were extinct having been hunted completely out of existence. Under the programs implemented and updated by the Forest Service they have grown a forest, while producing merchantable timber that looks pristine or virgin. While growing this forest they have increased the game species to a point we are having longer hunting seasons to control the population. Turkeys have been re-introduced and have proliferated to the point that our area is re-named for turkey hunting and we have extra hunting seasons to control the population. If I were a Forest Supervisor at this hearing, I think I would be saying, "Why Me". What have I done wrong in the overall plan?

I would hope that in the Ouachita National Forest that as a result of this S2571, that we do not re-create a similar situation to that which is now on-going in the Yellowstone and the surrounding public and private forests. Let us not create a situation in which we can justify a statement that the burning of this valuable natural resource is the right and proper thing to do. I think man has better judgement than that which is being used. I think the US Forest Service has used that better judgement in the well managed National Forest Lands.

I respectfully ask this committee to vote no on this bill.

I respectfully ask this committee to delay this bill to the next session while observing the situation and data may be collected.

I respectfully ask this committee that under no circumstances should this bill provide 15 million dollars or any other funds. If tourism is to develop, please let it develop by providing opportunity for private development and not direct building stone grants for government owned and operated enterprises.

I respectfully ask that if you choose to pass this bill, that it be limited to the prox 14,000 acres or designated

Page #12

wilderness area.

I respectfully ask that if you pass this wilderness designation that you amend the wilderness act to allow the supervisor of the effected national forest or his ranger in charge of that area to put out fires by any means and to stop insect attack by any means. This should not be an act to be discussed with the Secretary of Agriculture or any other committees or courts before we put out the fire. We should not allow the Wilderness Area to be destroyed and we should not allow the adjoining public forest to be destroyed by policies effecting the Wilderness Areas. We should not expect to put out a forest fire with men carrying wet sacks and beating out the fire. Machinery should be allowed to be used as needed and the Wilderness area should be restored after the fire is out. The use of machines to stop a fire in a Wilderness Area is not an opening in the law to use machines in the area in the future and should not be construed as such. Why can we not just put the fire out, repair the damage and leave?

I respectfully ask this committee to recognize that if we protect this forest from uncontrolled fires that we recognize that this is a change in nature. We must allow the Forest Service to continue the safe and necessary use of herbicides and fire as needed to properly manage this land and to control those elements of weed type brush and trees which necessarily grow and proliferate due to the absence of wildfire. You are a committee on agriculture and I know you are aware of the need of chemicals in farming and of the necessity of their safe use. I ask that you allow the US Forest Service to use and continue to use these chemicals safely and as needed.

I respectfully ask this committee to not provide funds for government purchase of private lands either in this forest or on areas elsewhere in the United States. If the government needs more land, let them sell or trade a like number of acres elsewhere in their ownership. I include in this statement a proposed Wildgrass Prarie Preserve in Oklahoma. I understand the future need by the Federal Government for other lands. If we sell or trade a like number of acres then we will not end another year with the Federal Government being a larger owner of land. Do not use any of our Federal monies taken as taxes or any other source to buy and make Federal any greater portion than that which the Federal now owns.

Senator BOREN. Let me ask questions of either of one of the panelists.

Senator NICKLES. I might tell Mr. White that we worked in our bill in Tall Grass Prairie to try to do that on an exchange so we would not increase ownership.

Senator BOREN. Yes, we did.

Senator NICKLES. And, one, I want to thank you for testifying today, and we have got to vote, so I am trying to think if, I guess we can probably finish. You heard my questions to Mr. Curran and Mr. Leonard concerning the production because I have been concerned. I have heard you make your statement now probably on a couple of occasions that you felt like if the bill passed that you would see just really a loss of any timber industry in Le Flore County.

I do not want that, and I do not think that Senator Boren or Congressman Watkins wants to see the timber industry out of Le Flore County. They mentioned, Mr. Leonard and Mr. Curran mentioned, the possibility of a one-third reduction from current production, but they said that future practices probably would not be that much different under the bill than what they have planned on doing in the future anyway. Would you agree with that?

Mr. WHITE. No, sir. The plans they had for the future, and up until you all proposed this bill, was to continue under the cutting program they had already done. They are referring to the plans that they have altered under their new cutting policy because of your bill less one-third. Had they stayed with their clearcut and plant bill, no, sir. Now I do not refer to the forest in Arkansas. I refer to the forest in Oklahoma.

The forest in Oklahoma cannot possibly produce 50 percent over the long haul, and in a 10-year period from now I think you are going to find that all these numbers are very conservative.

Senator NICKLES. You mean you think the loss in production will be greater than that?

Mr. WHITE. Be far greater. Over the first few years, we can cover those losses by covering more acres in the process of cutting the timber, and I think that is what will be done.

Also, talking about the timber, we have to talk about values, and the value of the timber sales that have been sold since this bill came up are in the area of 50 percent of what they were prior to this bill. That is to say that from an operations point of view, it sometimes cost 100 percent more to do a select cut to the operator than it does to do a clearcut type operation. As a result, he bids less on the timber. So all of the timber that the Government sells now will bring far less.

Now, as a result of listening to Wes, and Wes is correct in wanting to get some small operators back, but that is a mechanical evolution that has changed, and I do not believe we can bring that back. The only single way we can bring it back is to refuse to take the highest bid when we sell timber, and I do not think Wes approves of that. The only single way to bring back small mom-and-pop operators, and I do not believe we can do that. The paper mills do not want to buy that way. But the only way you can do that is to forbid someone from bidding a higher price.

Senator NICKLES. Could you not do that just with small cuts?

Mr. WHITE. Large companies by small sales.

Senator NICKLES. Even the real small sales?

Mr. WHITE. Small as I have seen. Yes, they do. Small as I have seen.

Senator NICKLES. I was thinking if we opened up and had several of the smaller sales that then you would have more of your smaller loggers come in.

Mr. WATKINS. You have more bidders.

Mr. WHITE. If you keep the sales down to \$10,000 or \$20,000 area, perhaps a few acres, the large companies will bid. If you get them down to smaller than that, the administration fee charged by the Forest Service will be far in excess of what you are selling the product for, and timber should not be sold at all.

Mr. WATKINS. However, if you eliminate also a lot of the roads being cut in, which taxpayers have to pay for, the Government has to pay for those roads on top of the bid, you probably have a far less dollar—

Mr. WHITE. You must understand that selective cutting requires approximately 4 times more miles of roads than clearcutting. I am speaking as an operator, not as a Forest Service. If we are going to clearcut 40 acres, but it requires 160 acres to derive the same volume, then we must build at least 4 times more roads. We are going to have to build roads on 160 acres instead of 40. So the select cutting requires the building of far more roads, not far less.

Now we believe in temporary roads, not permanent ones, like we have, Wes. We are not in disagreement on those. I think we have too many permanent roads. But I am telling you that selective cutting without question does now, and always has, required 4 and 5 times more road than clearcut.

Senator NICKLES. But over the long period of time, you would be able to harvest the same amount of timber.

Mr. WHITE. No, over a long period of time, you will harvest approximately one-third of what you do clearcutting and planting.

Senator NICKLES. Even after you go through it over a certain period of time?

Mr. WHITE. Even after you go through it over a certain period of time, yes, sir.

Senator BOREN. We are going to have to go over and vote. Let me ask just one quick question as we leave, and then we can have the next panel gather at the table while we are running over to vote. I apologize.

You talked about the cutting of the land adjacent to the forest and the fact that private tracts would be denuded more. This is always a problem when you get into—there are all sorts of buffer problems around any kind of a government owned tract of land, whether we are talking about a forest or national park or something else—what happens around it.

Are these tracts owned by large companies? I am curious to know, for example, if a large timber company owns or has purchased a private tract of land, usually they will find it in their own economic interest to replant so that they can reharvest again in the future years. Why are they not doing that in these situations?

Mr. WHITE. I think in our area, and I do not speak for other areas, I think what you just said might apply in other areas. It

does not apply in our area. Our area, we are on the very western fringe of the pine forest. It stops as you know in that area. The lands touching the National Forest are too marginal for any timber company to want to own and plant. And so yes, some of them belong to larger land owners, but not a single timber company is involved at all.

Senator BOREN. So it is not like your situation say in certain areas in McCurtain County?

Mr. WHITE. No. It is just people like David Boren who has owned 5,000 acres out there for 30 years, and has never gotten an offer for your timber at all. And as a result of this bill, and a shortage of timber, low quality, and that is what yours would be, you now have a bidder, and you accept it. But from here after you have no crop.

There is not a responsible party. This is not bad judgment by a buyer or a seller. It is just happening, and the cause of it is this bill.

Senator BOREN. We are going to have to stand in recess for just a minute. And we will return right after the vote.

[Recess.]

Senator BOREN. We will resume. Apologies to our very distinguished panel, and the last shall be first, I guess is as said. We are appreciative of you all taking the time to be here. We have some outstanding civic leaders that are making up this last panel. Two members of our State Legislature and the vice president of Poteau Chamber of Commerce, State Senator Larry Dickerson, it is a privilege to welcome you here; and State representative Ron Glenn; and Dwight Dedmon, the vice president of the Poteau Chamber of Commerce, all three with very deep knowledge and understanding of the local area and the feeling of the people in the local area, and we would welcome your testimony at this time.

There was once a time when I would have started with a member of the House, but I guess I will start with a member of the Senate at this time. You know your perspective changes, you know. It is kind of like when I was in the Governor's office, I used to kind of have a view of legislative committees. I always felt they were interfering with my rightful executive prerogatives. Now I know their purpose is the rightful oversight over undue executive power grabs. [Laughter.]

So your perspective changes. So I guess I just have to admit a little bias toward the Senate these days. Senator Dickerson, we are really glad to have you here.

STATEMENT OF LARRY DICKERSON, OKLAHOMA STATE SENATOR, POTEAU, OK

Mr. DICKERSON. Thank you, Senator Boren, Congressman Watkins. With that note of starting with just a little bit of humor, I would like to share a little bit with you all. I could not help but notice today, as most of you know, that I had an opportunity to work here in Washington early in my career, I noticed how young all the pages looked, and I cannot believe that I ever looked that young. But I hope that you are kind to them because they all seemed, so many of them, a little bit lost today because apparently this must be one of the first days after Labor Day when they all

come back to school. Be kind to them. You never know. One of them might grow up to be your State senator some day.

Senator BOREN. Well, what is sort of hurting Congressman Watkins and I is that we remember very well when you were a page. And I do not know what that says about us. [Laughter.]

Mr. DICKERSON. Oh, yes. And, what is so ironic is that, I, starting in November will no longer be the youngest member of the Oklahoma State Senate. There is at least one, maybe two younger members than I am coming in.

I do appreciate the opportunity to be here today and represent the views of Oklahomans before your subcommittee as it refers to Senate bill 2571. It is of extreme importance, and as you can tell, I am probably just a little bit nervous here. It is kind of like going to court the first time, Senator, so I am going to glance away from my notes, and I am going to ad lib just a little bit.

This is of particular importance to those of us in Le Flore County who live near the Winding Stair Mountains. We know what a valuable resource it is, and we are blessed with it, and we want to keep it, and not really as our own, but something that we can share with other people.

One of the jokes that we tell, and I do not mean to make light of this situation, either here or this one—you have to indulge me. I have a couple of funny stories to tell, Senator. But we are known as the land of Red Men, and one of the jokes in Oklahoma City is that I have an Indian problem. I am married to it.

But one of the things, the age-old Indian saying is nobody ever really owns land, they just use it for awhile, and then give it back. And that is something that we want to bring about with the idea of the Winding Stair Mountain and the Wilderness Area, the Botanical Areas, and the idea of tourism-recreation that it can bring, not a tourist trap, but something that we can share with generations to come.

But really when you are talking about that, they just use it for awhile and they give this land back. And too often in Oklahoma, through the coal mining, through the oil and gas, we have used the land and we have not really taken care of it. We see strip mines that we are going back now and reclaiming and putting back in the position that they were before we did the strip mining.

The same thing with oil and gas industry. I used to tell everybody that during the campaign of 1986 that I thought my family understood the declining economics of Oklahoma better than anybody else because my wife lost her job as an engineer with one of the larger oil companies there in Oklahoma in August of 1986. We know how devastating the economy is.

For so long we have always talked about oil and agriculture being one and two. Well, that is not so anymore. Tourism has rapidly replaced agriculture as our number two industry, and I am not sure if that is because we have done such a great job in the legislature with tourism in the last couple of years as it is with the declining agricultural market.

And we have to be in the posture of change in our State. We have to be able to move forward, to use the resources that we have been given, and I think we can use it from a standpoint of tourism. What this bill will do is that it will allow us to take one of the

most beautiful areas of our State and through an aggressive system and a new system, new ideas, to move forward and use it to our best advantage. And I do not think we have been doing that so far.

And at the risk of sounding almost naive, I could not help but listen to some of the prior speakers, and there was some concern about the lack of forestry. An analogy that I drew with your staff member earlier, and you have heard it all through Oklahoma, is many people will blame the downfall of Main Street, U.S.A. on Sam Walton and Wal-Mart. I do not believe that is true. I think he simply took a system that Main Street, U.S.A. was dying before he ever came to town. He just happened to be the easy whipping boy that everybody can blame for their troubles.

The forestry industry was already declining. Our people were out of work. They were not working. It is just like some of the people have spoken about. Those jobs were going to people from Arkansas. Those foresters are out of work now. They could not afford the plane ticket to come up here to tell you that this is really a road to recovery for them, not a roadblock or a death knell to what they have been losing.

Just a few comments that I wanted to make. I could not believe that forestry was added up as a loss to the national debt. If I thought that clearcutting all of Ouachita National Forest would change our ratio on the national debt, I would probably be here on the opposing side. But I think as small an area that we are talking about, it just does not really matter.

There is a philosopher or writer—I believe he was a Greek—and I am doing this from memory. His name was Sophocles. He made the statement that once they made a desert, and they called it peace. An idea was that you destroy something to get what you really want. And I think that is what we are facing here. Are we willing to destroy the Ouachita National Forest by clearcutting to keep the forestry industry in business. That does not mean that they are not important and that they should not be considered.

But I think what they are losing, you have to balance it with what the rest of Oklahoma and this country is going to gain by this proposal going forward.

I want to tell you that Mike Curran is here today. And I am not doing this to brag on him because I really do not know him that well. But the difference that he has made with the U.S. Forest Service in our area is tremendous. And once again, they are starting to have some type of credibility in eastern Oklahoma that they did not have before. Up until about 2 years ago, the only people who were considered worse than the U.S. Forestry Service was the Corps of Engineers. And that has changed because of Mike Curran.

But that does not mean that there is that full trust that there needs to be. And that is why I think some of the safeguards that are in both the House and Senate version are necessary. He mentioned that some of the areas that are so-called clearcuts were caused by tornadoes. I do not know which ones have been caused by tornadoes. When I stand on Skyline Drive and I look at those clearcuts, all I can see is that they must have had a bunch of tornadoes and they all had chain saws because they literally destroyed the natural beauty of that area.

One of the examples I used when we had a large meeting in Poteau was that—and I do not know how many other men in this room, and they are popular again, but ever wore a crewcut. And if you can ever remember sitting in your barber's chair, and that very first time and see that barber take a razor just right across your head and see all your hair go flying, that is literally what clearcutting is.

It is taking it all down. It is destroying every bit of it, regardless. We do not want a pine plantation. That is not the idea. Each year in Tulsa and Oklahoma City, they load up these large tour buses to come to southeastern Oklahoma to see the scenic areas during the fall. Can you imagine how many tour buses they are going to fill to bring to eastern Oklahoma to see a clearcut?

It is just not even in the same—and I know I am going over it. I do not mean to. I made some notes here on the side. One of the comments was made, and I think it was cleared up by Mr. Curran and his cohort, was that they had the ability to go in when there is a problem with insects or fire and use whatever means possible, and I think that is good.

But one of the things that I hope that we will keep in mind, as we consistently ask for changes with the U.S. Forestry Service, that what we have said, well, these contracts are already signed. These contracts are already signed as far as 18, 24, and 36 months in advance, and I am not so sure that it is not a bad idea to see the U.S. Forest Service wait 18 or 24 or 36 months on some of their changes in policy. We may be going too far with this bill, and if so, I will be back some day asking you for some amendments to help ease that pressure. But I always hate to see the people, and actually they are the ones who own this national forest land, always being the ones having to wait that long.

Not everybody is happy over the things that we are going to be putting together, as I am sure both of you read the "Heavener Ledger," and just last night they had that in 1978 one of the civic clubs had gone on record opposed to a wilderness area in southern Le Flore County.

What I think has happened is because of the prior mismanagement of the Forestry Service or Forest Service, however that is actually, is that you have some groups like the Sierra Club and the Southeastern Oklahoma Sportsman Association who I am not sure would agree on anything else other than some type of preservation of the National Forest service lands.

I think it would be like having Jesse Helms and Michael Dukakis walk in here and hug each other and brag on each other. But on that one issue they are in agreement, and they know that we have got to do something to preserve that land. And I believe this is the correct step.

Just two other things I want to talk about. We talked about a forest fire going on in Yellowstone Park. Ladies and gentlemen, we have had a forest fire of a different nature going on in the Ouachita National Forest. It has been going on for several years. This year it gets 25 acres. Last year it got 80 acres. The year before that it got 90 acres.

Not a fire, but the same type of devastation took place. It was in a more controlled environment, but it took place just the same.

That is why this bill is needed. One comment made earlier by one of the other panelists was that Oklahoma was anti-industry.

Well, I don't know if I ought to respond to that or not, but just to be brief, I am going to say that is a bunch of bull, and if we were in private conversation I would be a little bit more graphic in describing that. I could not help but notice that we have two industries in Le Flore County. They just happened to come across the river or across the line from Arkansas, the Works Cracker and Biscuit plant that is going on in Poteau now and MGI, the bass boat factory, two different plants, who have either some type of companion industries by the same people or the same plant operating in another State.

So I do not think that is an accurate reflection. The OK Processing going to Heavener is another one. That is three out of our four in Le Flore County alone. So I do not think that is accurate. At the risk of sounding a little bit like a campaign, it is time that we take a broad new approach to Oklahoma's natural resources. It is time for new ideas and exciting opportunities. I ask that you move quickly and merge these two bills.

From hearing all three of the sponsors today, I do not think you are really that far apart on any of the language. It is just a problem with terminology, and I think that is going to be worked out. I hope that you will move quickly to make that a reality this year and not wait because I want a hundred years from now for people to be able to see Winding Stair Mountain and Ouachita National Forest, the wilderness areas, botanical areas, and realize that that is a special place God created, and that we did not let man destroy. Thank you.

Senator BOREN. Thank you very much.

[The prepared statement of Mr. Dickerson follows:]

**STATEMENT OF LARRY DICKERSON, D-POTEAU
OKLAHOMA STATE SENATE, DISTRICT 4**

I am honored for this opportunity to represent the views of Oklahomans before your subcommittee. S.2571 is of extreme importance to the people I'm speaking for. All the Oklahomans who've lived and grown up around the Winding Stair Mountains know the valuable resource we've been blessed with. We want to keep it -- not as our own, but as something we can share with other people.

In Oklahoma, literally Land of the Red Men, there's an age-old Indian saying that nobody ever really owns land, they just use it for a while and then give it back. No matter who has legal title, nobody ever really owns the mountain on their property, or the stream that runs through it, or the wildlife that runs across it. We're just using it for a little while. The Indians who were the first Oklahomans lived by that premise for thousands of years, which may help explain why the Indians always got the short end of all the land treaties with the white man. The land wasn't theirs to sell, so they thought any nickle or dime they received for giving up territory was pure windfall.

Now, more than 100 years after the first Indians were relocated to Indian Territory, all Oklahomans are beginning to see the wisdom of how Native Americans treated the land. We're finally getting away from the pioneer attitude that everything on or in the land is free for the taking. Our parents and grandparents may have made a living at the expense of our land, drilling for oil, clear-cutting the forests and scarring the land while mining for coal. But today's Oklahomans have a better idea, one that is reminiscent of the ancient Indian philosophy. We can make a living off our land without abusing it. To accomplish that, we need S.2571.

That's the main point I want to leave with you today: Oklahomans don't have much nowadays, but we do have our land. In the case of Indians, it's sacred ground; for other pioneers, it's land that our parents worked on their whole life to raise us kids. It's very dear land to all of us. Winding Stair Mountain is the centerpiece of our part of the state. We still expect to use the Winding Stair area to help us make a living, along with the Ouchita National Forest, and the Kiamichi area and the Sans Bois mountains. The big exception, though, is that we think we've got a better idea of how to use this area and all that comes with it. I'm speaking of tourism.

Oklahoma's economy has gone through some tremendous changes since it began being settled only a hundred years ago. There first existed a sort of frontier mentality -- the idea that all that comes with Oklahoma is there for the taking, to make a profit. First came forestry. Then came coal mining; then agriculture, and then oil. All of those endeavors, in one way or another, took a heavy toll on this land. Now we're realizing that tourism is the industry that makes the most sense for our part of Oklahoma. We can use the land and all its beauty, without making any permanent scars on it. We can make a living off of it without tearing it up by clear-cutting the forests or stripping the land for coal or clearing it for agriculture. That's exactly what S.2571 will allow us to do, and that's why I'm asking you to enact its provisions.

For you to understand the prospects that tourism holds for Oklahoma, let me put this industry in perspective. Our two biggest industries have almost always been listed as oil and agriculture. But now, tourism has replaced farming as the second biggest industry. Frankly, I don't know if we can attribute that to the strength of Oklahoma's tourism industry or the pitiful state of the farming industry.

But one thing's for sure -- tourism is Oklahoma's future. One-quarter of the dollars circulating through our state's economy are linked to the tourism industry, and it's still in its infancy.

Tourism is a good, pure future for a land that can't stand much more abuse.

I'm asking you to assist an area of Oklahoma that bitterly needs help. The area surrounding the Winding Stair Mountains has the highest unemployment rate in the state of Oklahoma, in the double digits according to the latest surveys. Our economy is in a shambles. We thought we had renewable and non-renewable resources to carry us through generations to come, only to find out that the markets for these products are non-renewable. We're realizing that tourism is about our only responsible ticket out of the economic doldrums. Clear-cutting the forests in our area may have been a key part of our past, but it's not a good approach to the future. In fact, it works against our prospects for expanding tourism.

One specific point I want to stress is that we need strong, sure management provisions over the lands in question, and we need some provisions for a local planning advisory committee. The people in our area want to have some say in how these lands are used. Two months ago I testified before the House about the need for effective control and local control. I think we've accomplished that in the finished product, H.R. 4354. We're the ones who have to live next to this land. We're the ones who will depend on these attractions for a living. It's only appropriate that we have a strong say in how it's managed.

It's time to take a broad, new approach to Oklahoma's natural resources. We're not a frontier any more. We can't stand to abuse this land any longer in the name of quick buck. It's our home, and I want it to be my children's home and my grandchildren's home. If you've ever visited the area, you'll witness that its beauty can only be the handiwork of the Creator. When people visit the Winding Stair Mountains a hundred years from now, I want people to see God's work, not the fingerprints of man and his commerce. Give us S.2571, and we'll give you back a treasure that pays off forever.

Senator BOREN. Representative Glenn, we are really happy to have you with us today also and welcome any comments that you have.

**STATEMENT OF REPRESENTATIVE RON GLENN, OKLAHOMA
HOUSE OF REPRESENTATIVES, HEAVENER, OK**

Mr. GLENN. Thank you. I appreciate very much the opportunity to be here and testify before the subcommittee, and you are feeling your age. I can remember my first year to teach, this young man was an elementary student in the school. It does slip up on us, does it not?

I think I probably will deviate from my written testimony to answer some of the questions that were brought up here today. Let me say that my situation here is somewhat unique because I am happy to live within the area that we are talking about. My home is at the foot of Winding Stair Mountain. I live in the Cedar Lake area which is included as part of the national recreation area.

The other thing I would like to point out, is that the Glenn family, my family, have been residents of Oklahoma since 1813. Therefore, we have a long and lasting love for the country. When my ancestors first came to Oklahoma, they settled in the area around Muskogee, but they later drifted south and visited into the beautiful Ouachita Mountains and chose to pick that area as their home. The Ouachita is to us and my neighbors held almost in reverence, as perhaps the Sioux hold the Black Hills in reverence. As do the Choctaw people that I represent and the families of settlers that came in there since then.

When we feel a need to get away from it all, to be closer to our God, we go to the mountains, and it is almost in reverence that we listen and we see. Here lately, I am kind of like the Indian on the commercial that rode on the hill and saw what was happening to the land and the water, and the tears came rolling down his eyes. That is the situation we find ourselves in. We are deeply touched by what is happening to our quality of life.

You know there are a lot of things in life that are important. I think that as we look around the country and we see what is happening, the American people have found that perhaps it is time to slow down and preserve our environment, to look at those things that maybe truly are valuable. Senator Dickerson spoke of the strip mining and different things that we have done that we now find that we need to go back and correct.

The problem in cutting a tree is that you cannot go back and correct it in a day or a week, but it takes years and years and centuries sometimes to replace. This is the problem that we are finding in the Ouachita's. We had a situation earlier when the forest was being managed by selective cutting rather than clearcutting where there was a number of small operations.

In the city of Heavener, as we have discussed before, there was rather a large sawmill, which by the way was operated by Mr. White's father-in-law and later by himself, that burned down. They chose not to reopen it. A number of pole yards and pulp yards existed because at that time the Government had small ranger sales.

People were able to go in and cut the timber. One of the things that really helped in that area was the fact that when we lost our other jobs, we could always go to the forest and make a living. It was not necessary to become dependent on public assistance or welfare as we know it.

The statement was made that "we can always make a living by cutting wood." We had a charcoal plant. We had the pole yards. There were a number of small industries related to those: chainsaw shops, the trucking industry to haul timber on. As a matter of fact, you could make a living—it was hard work—but you could make a living with a pickup truck and a chainsaw if you were willing to get out there and work, and our people were.

That opportunity no longer exists. What is bad most of these people were untrained laborers.

Senator BOREN. Was that because the size of the tracts that were bid was increased greatly?

Mr. GLENN. Because of the size of the tract, yes. It takes a tremendous amount of money to do the road preparation, the site preparation, and the equipment to bid on, and the money, up-front money to bid on 40 acre sites.

Senator BOREN. I remember that. I think about the time I first came to the Senate and this change of about 10 years ago was in full swing. I remember especially I had a large number from Le Flore County. In fact, the logs in my fireplace came from the sawmill at Wister. I do not know if that sawmill is still operating or not.

But at that time they were fighting for their very survival, and I gather most of them did not survive because of the change of policy.

Mr. GLENN. That is true. One of the things that Mr. White testified to awhile ago is the fact that the land is marginal as far as pine production. One of the things that is happening in southeastern Oklahoma is the direction of the private industry in that area. Rather than going to saw logs, they are going to pulp for paper production and most of the private industry, large companies will be harvesting the improved variety loblolly for the purpose of paper, not for saw logs.

The direction of the Forest Service has been in the past, and from a talk I had yesterday with the district ranger, I assume still, to saw logs. So who is going to be harvesting these saw logs of the future? Again, I think we are going to have to go back to the small industries that we had.

About a month or two ago, down the road from me they opened up a small pole yard and within days they had more poles stored up than they could ship out. The reason being, that when all the pole yards went out, people could not cut the pine on their private land. For example, I adjoin Forest Service land. I have about 20 acres for pine. I have no market for it. I really have no market for it. There is no place for me to go with it.

When this pole yard opened up, people went in and thinned their timber. They started taking care of it again, because they had a market for it. I see that as coming back with the smaller cuts industry.

Then we need to talk about the tourism industry.

You know, there was a few years that McCurtain County was the leading county in our State in tourism. That is no longer true. With the exception of probably Broken Bow Lake, there is very little tourism left there. As a matter of fact, 20 cents of every dollar in McCurtain County comes from the timber industry.

But it was one industry that had to give way for the other, and now that timber has surpassed tourism, tourism is no longer existent there. In Oklahoma, tourism, as Senator Dickerson said, goes back from No. 3 to No. 2, as our most important industry. Timber in itself is No. 11.

Now I raise cattle, and I am a pretty practical person when it comes to cattle.

I am not going to go out and slaughter my No. 2 producing cow to make room for my No. 11 producing cow. If I am a good steward of the land, and I need both to survive, which we do, then we develop. We use imaginative techniques to improve the property, to improve the land so that it will carry both, and that both will prosper.

It is true that there might be less production by going to the selective cutting or restricted cuts. But is that a sacrifice when on the other hand we are enhancing tourism, and they are both coming about.

I notice as you go across the Capitol grounds, we have the beautiful shrubbery and the trees, and it is certainly a source of pride for our Nation. But what if we allowed the street department to come in here and cut them down? I think that you would see that this would be the same kind of analogy that we are having in our area with the Talimena Scenic Drive. We spent millions, as Representative Watkins pointed out, to develop this road.

The very thing that the people come to see, we are destroying. If we turn it all back to the pine, we have a monoculture which is, as you know, is beautiful for awhile, but it gets a little tiring after that. With the diversity, and certainly diversity is the most important thing that we have here, we take care of that. There is some mention about the \$15 million that was brought in. I would like to submit to you that the clearcutting industry has literally cost the local government millions and millions of dollars in damages.

Let me point out that in hauling a log, rather than a section of a log, that it is not so much the importance of the weight of the truck. We have an 80-ton load limit. But when you have a long log on there, and it gets to bouncing, the physics applied by leverage puts about 4 times the weight of the truck on the axles at the point where the bounce is.

We are talking about just completely destroying all of our county roads. I was formally a school administrator and had to run buses down those roads. The doors literally fell off the buses when we tried to go down those roads. I have had doors fall off, windows pop out. There was even a joke about me using a dog collar to keep a door on the bus. It was my dog collar, by the way. I did not use title I money for it.

There are many negative effects of clearcutting on wildlife. For example, Mountain Fork has long been known as a fishery for the smallmouth bass. We have seen a terrible decrease in the production there. I asked our wildlife people to find out the reason. We

thought that perhaps it was because of the canoeists going through that was running the fish off the nests, keeping them from spawning.

As it turned out, it was the siltation coming down from the clearcuts, just literally destroying the nests, and that smallmouth bass could no longer nest there. What are we doing?

Senator BOREN. That is not a surprising thing to me. I have been going into that area for a long, long time, and flew all over that area, both in a plane and helicopter when I was Governor in addition to spending a lot of time in that wilderness area in the northern part of McCurtain County and so on. And as I say, the clearcutting was so out of hand at that time that we considered a very stringent forest practices act that would have spelled out exactly in great detail what was to be done.

I remember the forestry companies coming in and saying, no, we will abide by a statement of principles if you will just let us do it ourselves, and the idea we would do that, give them some flexibility, but we were going to have a monitoring device, as I mentioned. I have forgotten at that time how many hydrologists we had.

We added several hydrologists to the State department of agriculture and State forestry service to do monitoring. We had groups of inspectors that went out and monitored the level of voluntary compliance, and I used to look at that every single month. As Governor, I demanded to see those figures.

And I do not know what has happened over a period of time, but I think what has happened is we no longer have those watchdogs out there. It is something that I would just gratuitously urge that the State Legislature look at beefing up, take another look to see where we are with the voluntary compliance, and beefing up the enforcement mechanism because it appears to me just from what I see go into the area that we have not been watching it closely enough.

Mr. GLENN. That is the reason I am so enthusiastic about the advisory committee that is mentioned in this bill. I think it is absolutely necessary. The other thing I might point out, about 10 or 15 years ago, McCurtain County was the No. 1 deer producing county in the State. It is not even among the top 10 at this point. I am not going to say that clearcutting does not help the deer population, but it certainly does not enhance deer hunting. You cannot hunt in a clearcut.

You might in one that is only a year or two years old, but after they get any growth at all them, you cannot go through them. So there is a lot of things there that we can look at. One of the things that came up was the point about arson—or it was not mentioned as arson—but the protection from forest fires. I talked to the district ranger yesterday. He assured me that as the plan is set up or as the bill is set up now in the wilderness area, that within an hour, he could get permission from the regional director and move in and stop the fires.

They can do as the bill reads if fire threatens private land, and certainly as narrow as these wilderness areas are, and with the inholdings there, they are always going to threaten the private land.

Senator BOREN. By definition, it would.

Mr. GLENN. So certainly we feel like that is not a problem. I would submit to you that perhaps clearcutting has been a major reason for the increase of arson in our area in the fact that the cuts were made up next to the highways to the roads, and the arsonist did not even have to leave their vehicles to set the fires. They could throw incinerator devices outside the car. They are down the road 10 or 15 miles from there when the fire breaks out.

We had more forest fires this spring than at any time in the history of the Choctaw district, and I think again that there were two factors. Of course, the dry weather, and then the fact that to an arsonist those clearcuts are so tempting. You know you can throw a match into them and then take off.

So there is negative effects there. I think one other thing that we might address as I mentioned to you that I was a school administrator. We are beginning to have a tremendous problem in the area with flooding from quick downpours because of the runoff. You have got an hour or two to get the kids home before the roads get under water when we have a heavy downpour, particularly in the Smithville, Battiest area and other mountainous areas.

So these are all negative factors that I think should be looked at also. In total, I think that the—I do not want to see the complete reversal of the policy that we have—but going back to the idea of selective cutting, restricting the size of the cuts so that smaller timber operations can bid on them.

One other point I might make is that we were talking about the fact that you could make more money off the larger cuts. Or at least they were selling for more. If I bought a cow and paid \$800 for her, and sold her for \$900, and I bought a cow, paid \$300 for her, and sold her for \$600, just because the cow that brought \$900 brought more than the \$600 does not mean I made more money.

The expense of preparing the site for clearcutting, the fact that you are going to have to use heavy equipment, about \$40,000 per mile on the permanent roads that will hold the big equipment, adds to the cost of preparing that site, and it does not necessarily mean that because the site brings more that it will bring more profit. I think that needs to be considered.

There is a number of things I could say, and I could talk on this for hours. As you can tell, I am very much sincere in my beliefs that what is beginning to take place again as a result of this bill, your work and as Senator Dickerson pointed out, the new management and leadership that we have in the Forest Service, is like going to a revival and rededicating your life. You know I have a new enthusiasm about the whole thing. And it certainly has been a joy to work with each of you and the different groups represented in trying to preserve for all of our people what I consider the most beautiful area in the Southwest.

[The prepared statement of Mr. Glenn follows:]



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House of Representatives

STATE OF OKLAHOMA
DISTRICT 17

COMMITTEES:
Education
Agriculture
County Government
Labor & Industry
Relations

September 1, 1988

STATEMENT BY REPRESENTATIVE RON GLENN
OKLAHOMA HOUSE OF REPRESENTATIVES
DISTRICT 17

ON BEHALF OF: S. B. 2571

WINDING STAIR RECREATION AND WILDERNESS BILL

BEFORE THE SENATE
UNITED STATES CONGRESS

AGRICULTURE COMMITTEE, SUB COMMITTEE ON
CONSERVATION AND FORESTRY

Mr. Chairman and Members of the Subcommittee:

Thank you very much for the opportunity to submit this written testimony supporting HR 4354, the Winding Stair Recreation and Wilderness Bill.

I am submitting this testimony to inform you of the harm present policy is doing to this area and bill's potential beneficial impact on three issues of great importance to southeastern Oklahoma: tourism and recreation, the local timber industry and the quality of life.

The Impact on the Timber Industry on Southeastern Oklahoma

Since before statehood in 1907 the timber and timber products industry has been a large part of the economic foundation of LeFlore and McCurtain Counties in the southeastern part of the state. Over time many small sawmills, pulp wood yards, charcoal manufacturing plants, and pole yards were established throughout the area. At one time the city of Heavener, population 2,700, had a major sawmill, four pulp yards and a large charcoal plant. And there were as many related industries. A "win-win" situation existed for decades. A large percentage of local citizens worked at the many timber related facilities. Many other people worked for small, independent local woodcutting operations. The forest and its animal wildlife also stayed healthy because the U.S. Forest Service and private firms harvested most trees through selective cutting.

Then came "clear-cutting."

Now the U.S. Forest Service and private firms target large tracts of land and removing every tree on them. Clear-cutting has destroyed southeastern Oklahoma's once thriving local timber industry, is destroying a precious natural resource, and is harming the national economy.

Clear-cutting destroyed the area's local timber industry by driving the small local woodcutting firms out of business. They didn't have the financial resources to bid on harvesting jobs on such large tracts of land. And since the U.S. Forest Service and the large private firms now process harvested trees elsewhere the local timber market for landowner is

gone. With clear-cutting and out-of-state tree processing most of the local sawmills, pulp yards and other related facilities closed. Some local workers were lucky enough to get jobs with the larger companies. But many didn't. As unskilled laborers they couldn't find jobs elsewhere. Many went on welfare.

Clear-cutting in this area is also harming the national economy. It is helping flood the national timber market with trees for which there is greatly reduced demand at this time. The resulting lower prices threaten to put countless people in the nation's timber industry out of work.

HR 4354 would reverse the harmful trend clear-cutting has set in motion by designating the area as a National Wilderness Area and mandating greatly reduced clear-cutting.

The Impact on Tourism and Recreation

Southeastern Oklahoma's natural beauty rivals that of any place in the country. The Winding Stair Mountains stretch from the Arkansas border 50 miles west through southern LeFlore County. The mountains are covered by mixture of pine trees and a variety of hardwood trees, such as wild plum, redbud, dogwood, hickory, oak and sweetgum. Running through the mountains are the Kiamichi, Black fork, Fourche Maline and Poteau Rivers. Lake Wister and Cedar Lake are also situated in the area.

Tourism has replaced agriculture as Oklahoma's second largest industry. And the southeastern part of the state generates more than one-fourth of Oklahoma's tourism revenue. The Winding Stairs Mountains area is a nationally known tourist attraction. Bus caravans containing tourists from across the country travel the area's Talimena Drive, built along the crest of the Winding Stair Mountains with federal funds in the mid-1960s.

But the area's tourism potential has only barely been developed. HR 4354 would do more than preserve southeastern Oklahoma's existing tourism industry. It would greatly enhance it in two ways. First, the bill would preserve the area's natural beauty for future generations. Clear-cutting, on the other hand, is killing the area's tourism industry because the only word to describe a large clear-cut is ugly. It removes en masse what people come to see. Clear-cutting

also damages the wildlife habitat. And the silt generated by the exposed area's runoff fouls the area's drinking water sources. HR 4354 would stop the devastation while allowing prudent forest harvesting which can actually improve the wildlife habitat. The bill also contains funding for tourist related facilities, which would mean more jobs in an area of Oklahoma with traditionally the state's highest unemployment.

Quality of Life

There is more to quality of life than good jobs, good housing, nearby shopping, good roads, low taxes and low crime. An individual's quality of life also encompasses the love he or she has for home. Many people have a special bond with their homeland that was developed at an early age which remains for a lifetime. It's like a sailor's love for the sea or a pilot's love of the sky. For others it may be the relationship they have with a great city. For me and the citizens I represent it is the emotional bond we have with the Winding Stair Mountains and its forests.

When our ancestors first came to southeastern Oklahoma one of the first things they set their eyes on were the beautiful forested Winding Stair Mountains. They are our Plymouth Rock, our Mississippi River, our Rocky Mountains, our Pacific Ocean. The Winding Stair Mountains symbolize our proud heritage and the promise of our future. They give us spiritual strength for meeting life's challenges. And they are a setting for us to more fully experience life's joys.

Clear-cutting means more to us than the simple removal of trees. It is the destruction of a part of our heritage. To us it is like allowing someone into our home and then watch them slowly destroy it. It affects us like millions of Americans were affected when they watched the Statue of Liberty fall into disrepair. And what hurts the most is the fact that those who are destroying our forest are those who are supposed to be protecting it.

When he signed the legislation creating national parks President Theodore Roosevelt said it is the nation's duty to preserve the land and its creatures. Since his time this country has seen the Industrial Revolution and the advent of the Computer Age. We have seen what a man of vision President Roosevelt truly was. It has become more important than ever to preserve the land and its creatures.

I note with pride that these comments on clear-cutting's relationship to quality of life are based mostly on emotion instead of logic. Thank God. The ability to feel and the ability to think separate humanity from the rest of the earth's creatures. We believe our position favoring HR 4354 is well supported by logic and facts, and backed up by deeply held beliefs and feeling of long standing. I urge you to approve this legislation to revive the Winding Stairs Mountains local economy and preserve the area's unique quality of life for generations to come.

Senator BOREN. Well, I appreciate those comments very much. You speak with eloquence that comes from living right there and seeing it and being a part of it everyday. And I appreciate your comments very much. It seems like it is the case whatever we are talking about—we were in a meeting earlier today about savings and loans, and they want to sell those off in such large groups that there is no opportunity for the small person, and particularly for those in Oklahoma to have an opportunity to even be involved. We have had the same thing over a period of time in terms of the size of the tracks that we have had developed within the forest lands.

We have lessened the economic opportunity for the small person to go in and handle it with, I think, great care as well. And I, like you, hope we are seeing a reversal in a number of ways in policy. Mr. Dedmon.

**STATEMENT OF DWIGHT DEDMON, VICE PRESIDENT, POTEAU
CHAMBER OF COMMERCE, POTEAU, OK**

Mr. DEDMON. Thank you. Senator Boren, Congressman Watkins, I will be brief. I always distrust people who say they will be brief because they seldom are, and I was also concerned that some of the language in my prepared statement might be a little strong, but Mr. White has laid my fears to rest on that. [Laughter.]

We appreciate the opportunity to appear before this subcommittee to express our support in its entirety for S. 2571. We supported this legislation from its inception and on two previous occasions have presented testimony in favor of Mr. Watkins' House Bill H.R. 4354, which was passed with only minor modification.

S. 2571 is substantially the same, and we support it with the same fervor. In the interest of time, I will skip a portion of this prepared statement, but I will read portions of it. However, I do not want to miss any of the good parts.

Senator BOREN. We will put every bit of it, all three statements, into the record in full.

Mr. DEDMON. The establishment of these areas envisioned by this act would provide a firm underpinning for the development of a tourist industry. Such an industry is appropriate to the southern part of our county and completes a vision which many of us had to develop the northern part of the county industrially, which is well underway thanks largely to Mr. Watkins, and emphasizing the southern part of the county as a scenic and recreational area. This would provide a fine and necessary balance which is important if our industrial development is to continue.

It has been said that this bill would result in a loss of jobs in the timber industry. It seems to us that uneven-aged timber management and single tree selection is more labor intensive, and if practiced, would result in more, not fewer jobs. We further believe that as the number of visitors increases to this area, consequent employment has the potential to dwarf the present local income from timber.

It has also been said that by creating a wilderness area, we are restricting access to that area. On the contrary, we see this bill as expanding access to a wide range of visitors with varying interests

and inclinations rather than preserving it as the private domain of a single industry.

I am the spokesman for the Chamber of Commerce, and as such I routinely speak on behalf of business interests. But when I find opposing interests and views, I have no problem in coming down on the right side, the side which is most beneficial to the area and the side which is the most farseeing.

Our national forests are not the private preserve of a single industry, nor does ownership rest with the U.S. Forest Service. These national forests belong to us all, and we ask that everyone have access and use to these lands. We ask only that no one use these lands to the detriment of others who have equal rights of access and use. We always ask the individual visitor to pick up his trash as he leaves, so as not to create an unsightly view for others. It seems little enough to ask that timber harvesters conduct their operations so as not to create a view which is offensive to others, or which destroys the integrity and continuity of the forest.

We need the prescriptive language of this bill, Senator, because over the past few years, incidents have occurred which leave us in doubt as to whether the U.S. Forest Service has the same view of its mission as do the rest of us.

A recent incident bears recounting. Just in the past 2 months since the House hearings on the companion bill, a small clearcut was authorized on Conser Creek. Local sportsmen approached the Forest Service and ask that a few trees be left standing so tree using wildlife would not be forced from the area. This was done, and the trees were clearly marked as wildlife habitat. Subsequently, up to two-thirds of the standing trees were killed or damaged through the careless use of herbicides. One can draw several inferences from this action, none of which inspire confidence in the management practices of the Forest Service. We need the prescriptive language of this bill which clearly tells the Forest Service what we expect of them.

One further comment, if there is any doubt, and I do not think there is from listening to previous testimony, that the language of this bill would prevent the Forest Service from dealing effectively and expeditiously with insect infestation or fire, we should set it at rest and leave them certainly with that authority and responsibility.

Senator BOREN. I think that is something that we could do. For example, when we say they cannot cut and so on and so forth, we do have this section which overrides everything else, notwithstanding any other provision in this act. But we could reference that at that point, except as provided in section such and such, and that way we spell it out two different places in the bill, and make it very clear that they would have the authority to act in that regard.

Mr. DEDMON. As I recall from testimony earlier today, there was some doubt as to whether the Forest Service thought they had that.

Senator BOREN. Yes.

Mr. DEDMON. And then later they thought they did. So if it is ambiguous, we should—

Senator BOREN. I think we should just write it in twice.

Mr. WATKINS. I do not have any problem with that at all.

Senator BOREN. We will make sure of it.

Mr. DEDMON. And just one final note what we would be looking for is a diversity in each stand of timber which is dealt with. This is important because diversity occurs naturally, and if we intrude upon the National Forest, we should leave it with the same diversity as much as possible. Thank you.

Senator BOREN. Thank you very much.

[The prepared statement and photograph of Talimena Scenic Drive of Mr. Dedmon follow:]



TESTIMONY OF

MR. DWIGHT DEDMON, VICE PRESIDENT

POTEAU CHAMBER OF COMMERCE

POTEAU, OKLAHOMA

ON BEHALF OF

THE WINDING STAIR MOUNTAIN NATIONAL

RECREATION AND WILDERNESS AREA ACT

BEFORE THE

SENATE AGRICULTURAL, NUTRITION, AND FORESTRY

COMMITTEE CONSIDERING THE MATTER OF S. 2571

SEPTEMBER 7, 1988

201 South Front Street - Poteau, Oklahoma 74953
(918) 647-9178

S.2571, THE WINDING STAIR MOUNTAIN
NATIONAL RECREATION & WILDERNESS AREA ACT

Mr. Chairman, Members of the Committee, Senators:

We appreciate the opportunity to appear before this committee to express our support in its entirety for S.2571. We have supported this legislation from its inception and on two previous occasions, have presented testimony in favor of Mr. Watkins' House Bill, Hr. 4354, which was passed with only minor modification. S.2571 is substantially the same, and we support it with the same fervor.

This bill will accomplish two much needed purposes. First, it sets aside specific areas to serve the purposes for which they are best suited. The designated wilderness area is a portion of the Oachita National Forest which has been largely untouched by man and is entirely appropriate to receive such a designation. The recreation area is noted for its scenic beauty and needs only a measure of careful development and protection to assure that the area continues to provide increasing enjoyment for visitors. The Botanical area is unique in that it provides a wide variety of plant species for enjoyment and study.

Second, the establishment of these areas will provide a firm underpinning for the development of a Tourist Industry. Such an industry is appropriate to the Southern part of our county and completes a vision which many of us have to develop the Northern part of our county industrially, which is well underway, and emphasizing the Southern part of the county as a scenic and recreational area. This would provide a fine and necessary balance which is important if our industrial development is to continue.

It has been said that this bill would result in a loss of jobs in the Timber Industry. It seems to us that unevenaged timber management and single tree selection is more labor intensive, and if practiced, would result in more, not fewer, jobs. We further believe that as the number of visitors increases, consequent employment has the potential to dwarf the present local income from timber.

It has also been said that by creating a wilderness area, we are restricting access to the area. On the contrary, we see this bill as expanding access

to a wide range of visitors with varying interests and inclinations rather than preserving it as the private domain of a single industry.

I am the spokesman for a Chamber of Commerce, and as such I routinely speak on behalf of business interests. But when I find opposing interests and views, I have no problem in coming down on the right side, the side which is most beneficial to the area, and the side which is the most far-seeing.

Our national forests are not private preserve of a single industry, nor does ownership rest with the U.S. Forest Service. These national forests belong to us all, and we ask that everyone have access and use of these lands. We ask only that no one use these lands to the detriment of others who have equal rights of access and use. We ask the individual visitor to pick up his trash as he leaves, so as not to create an unsightly view for others. It seems little enough to ask that timber harvesters conduct their operations so as not to create a view which is offensive to others or which destroys the integrity and continuity of the forest.

We need the prescriptive language of this bill, Mr. Chairman, because over the past few years, incidents have occurred which leave us in doubt as to whether the U.S. Forest Service has the same view of its mission as do the rest of us.

A recent incident bears recounting, Mr. Chairman. Just in the past two months, since the house hearings on the companion bill, a small clearcut was authorized on Conser Creek. Local sportsmen approached the Forest Service and asked that a few trees be left standing so tree-using wildlife would not be forced from the area. This was done, and the trees were clearly marked as wildlife habitat. Subsequently, up to two-thirds of the standing trees were killed or damaged through the careless use of herbicides. One can draw several inferences from this action, none of which inspire confidence in the management practices of the Forest Service. We need the prescriptive language of this bill which clearly tells the Forest Service what we expect of them.

My time has run, Mr. Chairman, and my direct testimony is complete. I thank you for this opportunity.

Photograph of the Talimena Scenic Drive follows:



Senator BOREN. I understand what you are saying about creating a monoculture, and particularly in these scenic areas is something we just do not want to see happen. Let me ask the three of you. You not only have shared many wise thoughts with us about this legislation, but you are also keen observers of communities in which you live, you understand the people that you represent and speak for.

What would you say is the general viewpoint? Would the majority of the people in the areas that you represent favor the major thrust of this legislation or would they oppose the major thrust of this legislation, in your opinion?

Mr. DICKERSON. Senator Boren, I think that was the point I was trying to make in the last 10 years by quoting the news article where a civic club was opposed to it 10 years ago. I think they are ready for it, and I think a large majority. I think that is one of the key points about the bill when I pointed out that not everybody is in agreement on that, but I believe that when you come down to it that most groups are going to be in agreement somewhere in the neighborhood of 75 to 90 percent of the bill. That overall they are very happy with it.

Senator BOREN. So overall you think there is a strong majority in favor of the major thrust of this legislation?

Mr. DICKERSON. Yes.

Mr. DEDMON. Yes.

Mr. GLENN. Not only was the civic club against it, I was the number one speaker against the RARE II program when it first came out, but I have seen the error of my ways, and I am just as dedicated to go the other direction. I think that when we had an opportunity to see what was happening in the southern part of the county and in McCurtain County, we realized that in not a long time that our area, that we worship so much, would be gone, too.

I have only had two negative complaints about the bill. Everything else has been totally supportive.

Senator BOREN. I think those who deal with legislation would say that is an unusually high level of support.

Mr. GLENN. And I might mention that one of them had to do only with the wilderness segment of the bill. The clearcutting they wanted stopped. It was only the wilderness segment of the bill. They were afraid of the restrictive language there.

Senator BOREN. The scenic part. Right. Mr. Dedmon, is that the general view in the Poteau area?

Mr. DEDMON. Yes. Any objections I have heard to the bill have been very minor and peripheral and have largely been dealt with by modifications in the House and Senate bills since the initial bill was introduced. And no, there would be no objection.

Senator BOREN. Well, I appreciate the testimony of all three of you. I think we are very fortunate that we have had those who have such expertise and have been able public servants and representing civic organizations as well to take the time and come and be with us.

I hope you do not feel that since you have been talking principally to the Oklahoma delegation today that it is a waste of time because it is not. We will share this testimony with all of our colleagues on the Agriculture Committee.

We have to work out whether or not we will move the House bill out of the Energy Committee or whether we will move the Senate bill out of this committee. Frankly, my inclination will be to do whatever we can do most speedily and expeditiously, and then do our very best to try to see the bill enacted this year.

It is a matter of striking a balance, and again I want to commend Congressman Watkins because he has gone through this process. I wish we could have him go up and act as ambassador in the situation we face a little farther north in our project that we have been working on.

But maybe he will agree to go up there with me. No one else seems to want to go up there with me and have the discussions. But we have tried hard to strike that balance. I think our willingness to take the one section out of the bill that applies these restrictions to the nondesignated areas is, again, an attempt to strike a balance. And I do think our thinking has evolved.

I am encouraged by the fact that our thinking has evolved as much as it has in our State in the last 10 years. I think we are beginning to realize that what Senator Kerr and others, who tried to tell us a long time ago, and we think about too, his own work in this area, and the actual opening of the road in that area, the Big Cedar ceremony that involved President Kennedy.

It is interesting that you mention the trees on the Capitol lawn because one of those trees, a group, was planted in honor of Senator Kerr at the time of his death. A number of his friends in the Washington area were trying to decide an appropriate way to honor him after his death, and they decided that nothing would please him more than having a tree planted in his honor on the grounds of the U.S. Capitol Building, and one of these days I am going to take the time to go out there. There is a plaque on it.

I have not found the exact tree at this point, but maybe I will sometime while I am still here. But I think we have come a long way in our thinking. We are striving to strike a balance, and we do realize that for the long range importance of Oklahoma, the preservation of the natural environment has to be at the top of the list when we look at the future of our State, not just the next year or 5 years or even a decade, but a century down the road. We have learned that our oil and gas is depleting. We have learned that other resources have diminished economic importance.

And maintaining this unique environment is really critical to our economic well-being, and I think the policy you are following in your own county—and I again pay tribute to Wes because he has done so much in terms of helping us start some bootstrap industries in our own local areas, and he has done this in the Third Congressional District—the idea of a balance of industrial growth in certain areas of the county balanced off with the preservation of the environment for the full growth of the tourist potential, I think, is a very sound basis for the future of the county.

And I really congratulate all of you on the amount of thought that has gone into this because it is very clear that a lot of—not just thinking about today and today's popular political issues, but a lot of long range thinking as trustees down the road is going on in the county, and I congratulate you for it, and I think it is a real

tribute to the people of Le Flore County that the kind of public opinion has formed that you have reported on today.

Mr. DEDMON. Could I say one final word, Senator?

Senator BOREN. Yes, sir.

Mr. DEDMON. Many of the people in this room have not seen the area that we are talking about. It is as pretty as a picture postcard, and to prove it I have the picture postcard.

Senator BOREN. We invite everyone to come back, and we will attach the photographs, by the way, to the permanent subcommittee record, photographs that Congressman Watkins has brought, because I want people to see what these gashers—I was reading a statement—you quoted the Indian feeling that the land does not belong to us. We are only custodians of it temporarily, and I was reading the writings of an Indian Chief not too long ago, talk about wounds and gashes in the earth. The earth was crying out from these wounds.

And when you walk through some of these areas that have just been pulverized and chewed up with all the debris that is left there, especially if it is left in an area that should be a roadside shelterbelt or a streambank shelterbelt, you really understand what he was talking about.

[The photographs can be found on pages 42-46.]

Mr. WATKINS. Senator, I would like to say thank you. I am going to have to leave myself. And I want to thank Senator Dickerson and Representative Glenn and Mr. Dedmon for their testimony. Thank you all. I know it is a long trip up here and it is expensive. Senator Boren, I want to thank you so much, and Senator Nickles and Chairman Wyche Fowler for turning the proceedings over to Oklahoma today. And I appreciate everything.

You know one of the dreams that I have is that this area offers a wonderful opportunity for economic development in the Red River area. There is a belt there that is ideal for industrial development. The northern part of Le Flore County up in the Stigler area and even part of the Wilberton area is ideal for a lot of industrial development.

But we have all this vast land of streams and mountains and timber and all in between that means that right out the backdoor of all these workers will be this wonderful paradise.

Senator BOREN. Oh, absolutely. That is a big part of why they want to come there.

Mr. WATKINS. And we hope that with everyone's involvement, we can design and help plan with not just one group, I would like to tell Mr. Robertson,¹ but several groups, Kiamichi Country, Kiamichi Economic Development District, RedArk, Green Country, and many other local groups, we can plan as near perfect type of intense recreational development as we can for that area. Thank you, Senator.

Senator BOREN. Thanks. We are going to have to stand in recess because there is a vote again on the floor. I invite those who have not seen the area to come up and see Mr. Dedmon's postcard.

¹ F. Dale Robertson, Chief, U.S. Forest Service.

[Whereupon, at 5:05 p.m., the subcommittee adjourned, subject to the call of the Chair.]

[Material submitted for inclusion in the record follows:]



STATEMENT OF

MR. DICK WILKERSON, PRESIDENT
POTEAU CHAMBER OF COMMERCE
POTEAU, OKLAHOMA

ON BEHALF OF

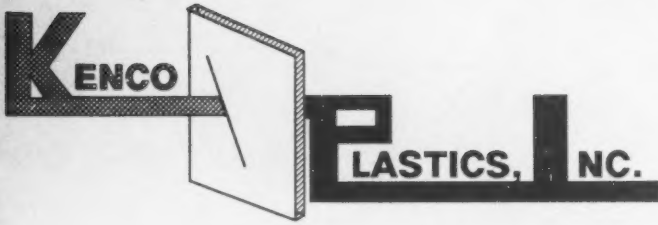
THE WINDING STAIR MOUNTAIN NATIONAL
RECREATION AND WILDERNESS AREA ACT

BEFORE THE

SENATE SUBCOMMITTEE ON CONSERVATION AND FORESTRY
SUBCOMMITTEE ON FORESTS, FAMILY FARMS AND ENERGY

SEPTEMBER 7, 1988

201 South Front Street - Poteau, Oklahoma 74953
(918) 647-9178



S.2571, THE WINDING STAIR MOUNTAIN
NATIONAL RECREATION & WILDERNESS AREA ACT

Mr. Chairman and members of the committee.
Thank you for allowing me to express my views and
the views of the people I represent in support of
S.2571, the Winding Stair Mountain National Recreation
and Wilderness Area Act.

As is the case of most rural America, I wear
several hats --- Chairman of the Leflore County
Industrial Development Authority, President of the
Poteau, Oklahoma Chamber of Commerce and President
of Kenco Plastics, Inc., a manufacturing plant which
employs about 80 people. I have polled many of the
people I represent in these organizations and can
speak with confidence when I say this bill will be
a real asset to our area by making good use of the
natural attractions of the Ouachita Forest. This
act was reviewed and debated in the House and passed
with unanimous favor. Our hope is that you will see
fit to do the same.

Our U. S. Senators know the value of tourism
and recreation to our area and have written a very
intelligent bill for your consideration. This bill
would expand the use of the Kerr Arboretum Botanical
area, create needed National Recreation and Wilderness
areas, improve forest management standards in a
National Scenic and Wildlife area which represents
the vanishing natural beauty of America, and certainly
important to us, it would improve economic development
by encouraging tourists to visit a wilderness area
that has been least touched by man.

From the standpoint of economics, Leflore County
is in the process of developing an excellent plan
which would center industrial development in the

II

northern section of the county and tourism/recreation in the southern reaches. Industrial development in the north is well under way as evidenced by the construction of a 320 MW co-generation power plant, arrival of new industries like Wortz Cracker Company, Arundale, Inc., Kenco Plastics Company, MGI Boat Company and a host of smaller businesses.

In order to complete our plan we must preserve and protect the natural scenic beauty and recreation in the southern part of LeFlore County. Clear-cutting the forests destroys this beauty that attracts tourists to the area. My hope is that you would see fit to join hands with our Senators and the people of our area and help with an economic development/tourism and recreation plan that would be the envy of all rural America.

To encourage your consideration of this plan I would like to point out the positive impact industrial development is having in our area. Through the efforts of some dedicated people we have been able to lower our county's unemployment rate from 13.8% to 6.2% in the past 6 years. This comes at a time when, due to depressed situations in farming, gas and oil industries, the rest of the State of Oklahoma is suffering economically.

Senator Boren, Senator Nichols, and Congressman Watkins have played a key role in our accomplishments and the people of our area are in enthusiastic support of S.2571, the Winding Stair Mountain National Recreation and Wilderness area act. This would go a long way toward creating an economic and living environment of which we could all be proud.

So many sections of America has succumbed to the advances of man and industrialization that I feel we must rededicate our efforts to protect certain areas in this great country so that generations to follow can show with pride the beauty of Winding Stair Mountains.

Wildlife recreation is another very important industry for our area and brings tourists and hunters to the state year around. Studies have shown that diversity in our forest and plant life is necessary to maintain and increase wildlife populations. We feel it is very important to have a portion of funding in this bill designated for wildlife enhancement.

III

We strongly urge that timber harvesting be by the unevenaged and single tree techniques. Obviously this type management is required to maintain the natural scenic beauty and would retain trees which produce food and protection for wildlife. Practice of unevenaged management should be written into this law and not left up to general interpretation or the U. S. Forest Service's current planning practices. Past experience has taught our citizens that others are not as dedicated to KEEPING AMERICA BEAUTIFUL as we are. Clear-cutting ruins what people come to see---the colors and beauty of southeastern Oklahoma.

President Theodore Roosevelt, when he signed the legislation creating national parks and public lands, said it is the nation's duty and responsibility to preserve the land and it's creatures. I feel that he would be in total support of our position in this issue and would urge you to support S.2571.

Thank you again Mr. Chairman and members of the committee for allowing me to express my views on a matter that is very important to the people who live here. This is our home and our sincere desire is to leave it in better shape for generations to follow.

When we complete this plan, I invite you to visit our area and see one of the most beautiful and scenic areas in America.



TESTIMONY OF
MR. BILL JOHNSON, EXECUTIVE DIRECTOR
POTEAU CHAMBER OF COMMERCE
POTEAU, OKLAHOMA

ON BEHALF OF
THE WINDING STAIR MOUNTAIN NATIONAL
RECREATION AND WILDERNESS AREA ACT

BEFORE THE
SENATE AGRICULTURAL, NUTRITION, AND FORESTRY
COMMITTEE CONSIDERING THE MATTER OF S.3571

SEPTEMBER 7, 1988

201 South Front Street - Poteau, Oklahoma 74953
(918) 647-9178

Mr. Chairman and Members of the Committee. I appreciate having the opportunity to appear before you today on behalf of the Poteau, Oklahoma, Chamber of Commerce in support of H.R. 4354, the Winding Stair Mountain National Recreation and Wilderness Area Act.

We believe the bill before this committee is a laudable effort to make the best use of the diverse attractions and capabilities of the LeFlore County, Ouachita National Forest Area. The bill expands the Kerr Arboretum in the form of a Botanical Area, creates a National Recreational Area where that is appropriate, adds management standards and designates a National Scenic and Wildlife Area retaining as Wilderness Areas that which has been least touched by mankind. The author of this bill, the Honorable Wes Watkins, who represents Oklahoma's Third Congressional District, has done his homework well on this proposal, and many of the objections which could have arisen have already been reconciled by the diligence of Rep. Watkins in the preparation of this bill.

We are proud of our part of the world and would like to share it with more visitors than we now have. In this connection, it is most important to us that our countryside be presented to the visitor in all its natural and scenic beauty without visible intrusions by man. We, therefore, urge that any timber harvesting be by the unevenaged and single tree harvesting techniques. It follows then, that in its practice, unevenaged timber management must be dedicated to the desired result -- natural scenic beauty. We feel that the practice of unevenaged management should be written into this law and not left up to the interpretation and the U.S. Forest Service planning process. The Service has said let the planning process work. But, the citizens have tried this route and to date have been disappointed with the

results. Support for this bill by many people in LeFlore County rests on management provisions contained in Section 11 and 12.

The northern part of our county has shown recent strength in attracting new industry, being more heavily populated and with a more developed infrastructure to support industrial growth. We feel that the development of the southern part of the county as a visitor attraction would neatly balance our county's economy. Industrial development would be enhanced by the creation of an important recreational attraction such as that envisioned in this bill. Most employers considering a location for their business would deem it a positive factor to be located near such a recreational area.

Wildlife recreation is another very important part of tourism for our area and brings hunters to our area of the state year round. Studies have shown that diversity in our forest and plant life is necessary to maintain and increase our wildlife populations. We feel that it is extremely important to have a portion of any funding in this bill designated for wildlife enhancement.

We believe that the best use for this area of the Ouachita is as proposed in this bill, a visitor or tourist attraction. The area is unique, it and its designation as proposed in this bill would not only bring dollars to our area but would provide a richness for visitors which is not measurable. The proposed wilderness areas are now in limbo, with no timber having been harvested in recent years, and no negative impact on the economy has been shown as a result of this.

The attraction of the Nation's First National Scenic and Wildlife Area and Botanical Area should increase tourism opportunities for the entire region. Southeastern Oklahoma now accounts for over one-quarter of the states tourism income. This bill would increase Oklahoma's tourism. With the Little River National Wildlife Refuge having been

established in the county to the south, visitor numbers will continue to increase in the proposed Winding Stair Mountain National Recreation Area.

This is an opportunity like none other for our area of the state to experience growth and prosperity. For too long this area has been overlooked. We are proud that Rep. Wes Watkins has seen fit to not overlook our area. Should this bill not be adopted, we stand to lose the momentum in economic industrialization in the northern part of the county.

In conclusion, we believe that by putting necessary management changes into law that this area will be protected for future recreation, tourism and wildlife opportunities. Decisions affecting our area should not be left to chance and those in the U.S. Forest Service management in Washington, D.C. and Atlanta who do not know our area. Planning for maximizing tourism and recreational opportunities should be done by a local group who understands local interests.

The Poteau Chamber of Commerce is highly supportive of the bill being considered and would urge its expedient adoption. I would be happy to respond to any questions.

Statement of
Mr. John Dennington, President
Southeastern Oklahoma Sportsman's Association
on behalf of
The Winding Stair Mountain National Recreation and Wilderness Area
before the
Subcommittee on Conservation and Forestry
Senate Bill 2571
United States Senate
September 7, 1988

STATEMENT OF JOHN R. DENNINGTON, PRESIDENT,
SOUTHEASTERN OKLAHOMA SPORTSMAN'S ASSOCIATION

Mr. Chairman, members of the Committee, greetings from Southeastern Oklahoma. On behalf of the Southeastern Oklahoma Sportsman's Association, we appreciate the opportunity to present testimony in support of Senate Bill 2571, Winding Stair mountain, Oklahoma Wilderness Bill.

Oklahoma, the wind swept prairies, the hawk making lazy circles in the sky, this description certainly depicts the vast majority of this great state. But, down in the extreme southeastern part of the state is probably the best kept secret in the county. There are forests, mountain, mountain streams, an abundance of wildlife and a natural beauty that rivals the rest of the country's best offerings.

A primitive and semi-primitive experience that the people of Tulsa, Oklahoma City, Dallas, and Fort Worth, Texas, and other rural and urban areas have taken for granted for many years.

An area economically depressed but rich in the "quality of life". An area of rugged individualism, a heritage rich in tradition. A heritage that includes a mature forest, rugged hills and clear streams.

This area is not akin to the pine forests of Georgia or the Spruce forests of Colorado. There is a vast diversity of tree species. Consequently, the forests of Oklahoma cannot be managed similarly.

When even-aged management was introduced into Oklahoma forests it had a dramatic effect on the people of the area. The economic impact of lost tourist revenue was devastating. Hundreds of forest workers were displaced - sawmills and wood yards began closing. Only one sawmill and one wood yard is open today. Many wildlife species began to suffer, water quality began to diminish, county roads ill-equipped to withstand the massive loads of timber and equipment began to deteriorate. In all, even-aged management as practiced by the Forest Service has had a severe and devastating impact on the area.

People began to petition the Forest Service for remedies, which apparently fell on deaf ears. The people organized and again petitioned. Again the response was negative. As a last resort and with a determination for finding relief the people turned to the legislative process. It is imperative that legislation be enacted to preserve, enhance, and restore the public trust and ensure relief for the area.

The unwillingness of a positive Forest Service response has prompted a public outcry that was heard in Washington. The legislation that Senator David Boren and Senator Don Nichols, have placed before you is creative in that it attempts to address all facets of the problem. it allows for the harvesting and regeneration of timber, promotes tourism and recreation, protects wildlife, addresses ecological and aesthetics qualities and for the most part is satisfactory to the majority of the people of the area.

We feel that an advisory committee, composed of local representatives equally divided among conservation, timber,

fish and wildlife, tourism and recreation, and economic development interests be established. Also, that funding be provided to implement and promote these interests.

Other concerns of the citizens of this area is the vast roading system presently pursued by the Forest Service. Our people feel that the present road system is already excessive and that a moratorium on road building be adapted.

Perhaps the most volatile issue of all is the diversity of age and species of the trees in the beautiful Ouachita National Forest. Although the Forest Service aspires to eliminate the hardwood species and continues to promote a pine tree monoculture, the people want the timber management practices within the national scenic and wildlife are to: Restore and maintain a mixed hardwood and conifer forest with the relative abundance of species and age class diversity written EACH STAND.

Concerns have also been raised about subjecting the Beech Creek scenic area to an influx of roads and commercial logging activities that would desecrate its natural beauty. Special care should be taken by the Forest Service to protect this special place.

It is regrettable that Section 13 has to be spelled out in this legislation, but a decade of Forest Service regulation have conditioned the people to have basic mistrust for Forest Service policies. To avoid any confusion as to the intent of the bill, the definition of uneven aged management should be further defined, such that its intent cannot be misconstrued by the Forest Service.

The Southeastern Oklahoma Sportsman's Association is an organization that represents a cross section of the people of that area. Professionals, timber workers, sportsmen, former forest service employees, farmers, ranchers, teachers, homemakers - the list goes on. Hundreds and thousands of people directed toward a common goal; protecting the Ouachita National Forest in southeast Oklahoma from commercial exploitation, protecting the wildlife, protecting water quality, promoting tourism and recreation, protecting the "quality of life" that has been a part of the heritage of the area for generations.

The Southeastern Oklahoma Sportsman's Association commends and supports Senator Boren and Senator Nichols for their efforts to resolve this pressing issue. He has been responsive to the people when the Executive branch tended not to respond to the needs. Mr. Chairman we are all in agreement on this proposal, there is tremendous local support for this bill. Legislation is the only permanent solution.

Mr. Chairman, this concludes my statement. I would be more than happy to respond to any questions that you or your Committee might have. Thank you for this opportunity to present our views on Senate Bill 2571 on behalf of the Southeastern Oklahoma Sportsman's Association.

Benjamin F. Curtis
Attorney at Law
 1000 Central - P. O. Box 767
 Poteau, Oklahoma 74953

918 647-9191

September 6, 1988

Honorable David L. Boren
 United States Senate
 Committee on Agriculture, Nutrition, and Forestry
 Washington, D.C. 20510-6000

Re: Winding Stair Mountain, Oklahoma Wilderness Bill
 S. 2571

Dear Senator Boren:

Thank you for inviting me to testify before the Senate Sub-Committee on Conservation and Forestry. Time does not permit me to appear at the hearing, therefore, I am taking this opportunity to express my approval of subject bill in this letter.

The major part of the economy of Eastern Oklahoma is and has been since statehood the timber industry. Timber harvesting has come from privately owned land in the area and from the Quachita National Forest. For a number of years there were several sawmills in this county and several employees in the lumber and related industry. However, the recent management practices of the U.S. Forest Service, i.e. "clearcutting," has eliminated several employees in the timber industry and presently there are only three sawmills in LeFlore County, two of which have just started operation. If the U.S. Forest Service was to stop clearcutting and readopt their previous management practices in select cutting then there will be several small operators that could harvest the timber and would generate additional employees. As it now stands, only large operators harvest the timber and that is primarily Weyerhaeuser which is operating in McCurtain County, the adjacent county to the South.

It is important that the definition of uneven age management or select cutting be defined whereby the interpretation is not left to the management of the U.S. Forest Service.

S. 2571 is an excellent bill in many respects but particularly in

that it will augment the tourism, recreation and the hunting industry in this area. Tourism industry is a vital industry to Eastern Oklahoma and this bill will certainly preserve the beauty of Eastern Oklahoma and should increase the tourism industry.

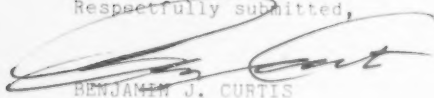
I would suggest an amendment to the bill in that it would be helpful to establish an advisory committee of local representatives consisting of interested people in the timber industry, tourism and other affected individuals. This committee could provide recommendations regarding the operation of the Quachita National Forest in LeFlore County.

There has been some concern regarding the designated wilderness area and the lack of authority of the U.S. Forestry Service in controlling fire, insect and disease in the forest. In that regard, it is suggested S. 2571 should include some language requiring the secretary to carry out such measures he determines necessary to aid in the prevention of the spread of fire and infestation of insects, etc.

In summary, S. 2571 is an excellent bill and will preserve a certain portion of the Quachita National Forest in its natural state for posterity in addition will augment the overall income of Eastern Oklahoma. This bill will also eliminate the Quachita National Forest from being turned into a pine plantation.

I wish to conclude by stating I consider it an honor to be invited to testify before the Senate Sub-Committee on Conservation and Forestry and I hope these comments will be of some benefit to the committee.

Respectfully submitted,



BENJAMIN J. CURTIS

BJC:g

STATEMENT OF AUDREY C. BALENTINE
LEFLORE COUNTY WILDERNESS ASSOCIATION

Mr. Chairman and Members of this distinguished panel. The members of the LeFlore County Wilderness Association appreciate the opportunity to be heard by your committee regarding S. 2751, the Winding Stair Mountain National Recreation and Wilderness Area Act. We believe that this bill offers some real possibilities to restore and create new opportunities for our area in the Ouachita National Forest. Let me tell you why this legislation is important to us.

The people of southeastern Oklahoma have a deep affinity for their natural surroundings and are closely tied to land and forests for both their vocations and avocations. We have been very proud and appreciative of the beautiful mixed pine-hardwood forests in the mountainous areas in our region, particularly the Ouachita National Forests in southern LeFlore County. For years we have depended on these forests for jobs, recreation, and solitude, and I suppose, have taken for granted that they would always be there without any major differences.

About twenty years ago Weyerhaeuser Timber Company bought the extensive forest land holdings of Dierks Timber Company in southeastern Oklahoma and began even-age, high yield management of the timber. Other large timber companies with holdings in our area soon did likewise and we began to see just how quickly and completely mixed pine-hardwood forests could be converted to pine plantations. There arose concern among our people over the loss of wildlife habitat and water quality, but this was private land owned by the timber companies and, of course, we still had the land in the National Forest.

In about 1972 the Forest Service began to practice even-age management on our forest lands, and under the present plan it is converting approximately 16,000 acres of Ouachita National Forest each year into pine stands with a goal of converting about 67% of the forest into even-age stands of pine in seventy years.

Realizing the negative effect on jobs for small timber contractors, the destruction of natural diversity of plant and animal life, and the potential for decreased water and scenic value, our citizens have become very concerned. Numerous meetings have been held to address these issues, and the Forest Service is presently restudying the Forest Plan for the Ouachita National Forest. S. 2571, the "Winding Stair Mountain National Recreation and Wilderness Area Act", is designed to deal with the concerns expressed by the people of southeastern Oklahoma.

We are delighted that this act would add to the National Wilderness Preservation System two tracts of land in the Ouachita National Forest entitled "Black Fork Mountain Wilderness" and "Upper Kiamichi River Wilderness". A study by the State of Oklahoma Tourism and Recreation Department completed in 1985 projected a positive economic impact of about \$2.4 million annually if these two areas were designated as wilderness.

We support Rich Mountain and a portion of Beech Creek being designated as "Botanical Areas" and thus preserved as a biological heritage for the future as well as a natural laboratory for the present.

We are very pleased with the proposed establishment of the "Winding Stair Mountain National Recreation Area", the "Indian Nations National Scenic and Wildlife Area and the "Beech Creek National Scenic Area" emphasizing the natural diversity that will enhance the recreational values of the areas.

We are convinced that the major problem with the present Forest Plan is its over emphasis on timber management and production of pine species at the expense of the other uses mandated by the National Forest Management Act. The management language in this bill could guarantee the diversity of timber species needed to insure quality wildlife habitat and quality scenic and recreational potential for generations to come. We feel very strongly that there must be a significant amount of hardwood maintained throughout the forest for these objectives to be met. We feel that any loss in timber revenue as a result of this bill will be more than offset by the increased tourism and recreational income. Without question, the passage of this legislation will increase awareness among the general public of the recreational opportunities afforded by our area and, for the most part will lead to increased access to these areas while insuring their desirability for generations to come.

The portion of this bill which deals with management of the forest inside the National Recreation Area, National Scenic and Wildlife Area, and other Forest areas in LeFlore County should be written into law. We are encouraged by the cooperative attitude of the present Forest Supervisor and his staff, but the Forest Service operates on policies and regulations which are subject to change as administrations and situations dictate. Many of us have spent considerable time and personal funds in the process of making this legislation possible because we feel that our people want these concerns dealt with in a more permanent manner.

S. 2751 contains two proposed amendments to the House-passed version of legislation to create the Winding Stair Mountain National Recreation and Wilderness Area which I believe will enable the legislation to better address the needs and concerns of our people. The proposed amendments are:

- 1) Establish an advisory committee composed of local representatives equally divided among conservation, timber, fish and wildlife, tourism and recreation, and economic development interests. The Committee shall provide recommendations regarding the operation of the Ouachita National Forest in LeFlore County, Oklahoma, and shall be consulted regarding the development and implementation of the amendment to the forest management plan required under the legislation. The Secretary shall designate this Committee to assist in the preparation of the tourism and recreation plan required under the legislation.
- 2) In the section which clarifies the Secretary's authority to combat fire, insects and disease, include the wilderness areas along with the other areas specified. In the same section, add language requiring the Secretary to carry out such measures he determines are necessary to aid in preventing the spread of fire, infestation of insects, or disease to adjacent lands. Either in bill or report language, note that the measures available to the

Secretary to combat or prevent the spread of fire, infestation of insects or disease, shall include, but not be limited to, the use of motorized vehicles, mechanical equipment, aerial spraying, and chemicals.

In conclusion, we feel this legislation is good for Oklahoma. It will promote a unique part of our state for the enjoyment, employment and education of our people today and provide an invaluable legacy to our citizens of tomorrow.

Thank you Senator Boren and Senator Nickles for introducing this bill that without question will benefit future generations of Oklahomans. And, Mr. Chairman and Members of the Committee, thank you for this opportunity on behalf of the LeFlore County Wilderness Association to present our views on S. 2751.



Tacoma, Washington 98477
Tel (206) 924 2345

September 8, 1988

The Honorable Wyche Fowler, Jr.
United States Senate
Russell Building 204
Washington DC 20515

Dear Senator Fowler:

We respectfully request that the following comments be included in the hearing record for S. 2571, a bill that would designate certain portions of the Ouachita National Forest in Oklahoma as Wilderness, National Recreation Areas, and botanical areas.

In general, we support the efforts to enhance public recreational opportunities and protect unique scenic, wilderness, and botanical areas on the Ouachita National Forest. However, we do have some recommendations for changes to the bill that we believe would help accomplish the overall purpose of this legislation, while reducing the potential adverse impact on those portions of the Ouachita National Forest that will continue to be managed for multiple use, including timber production.

Our specific recommendations are as follows:

Botanical Areas

Section 9 (4)

On page 14, lines 1 and 2, delete the sentence that reads "Timber harvesting of any kind shall be prohibited." This sentence is inconsistent with page 12 Section 9, lines 13, 14, and 15 which recognize that some limited salvage of timber may be needed to protect the botanical areas from insect or disease epidemics. For example, if the southern pine beetle (*Dendroctorus frontalis*) becomes established in the botanical areas, it would be necessary and desirable to salvage the infested trees in order to protect the remaining healthy trees, as well as other areas of the National Forest and surrounding property.

The Honorable Wyche Fowler, Jr.
 September 9, 1988
 Page 2

Timber Management

Section 13

Beginning on page 16, this section should be deleted in its entirety because it attempts to prescribe in specific terms how the Forest Service should manage timberland under its jurisdiction in areas that are available and suitable for normal multiple-use management. The Forest Service already has both the authority and the Congressional direction for management of National Forest lands of this type under Section 6 of the National Forest Management Act of 1976, and under several other laws governing National Forest management. The specific plans for managing this portion of the Forest will be described in the Land and Resource Management Plan for the Ouachita National Forest now being prepared by the Forest Service pursuant to the National Forest Management Act of 1976. For these reasons, prescribing specific silvicultural practices in Section 13 of S. 2571 is unnecessary and represents an undesirable precedent in attempting to limit Forest Service management prerogatives on lands otherwise available for multiple-use management.

Land Acquisition

Section 18

The land acquisition authority described in Section 18, paragraphs (a), (b), and (c) are adequate to accomplish the purposes of S. 2571. However, overall management of the Ouachita National Forest could be enhanced if the Forest Service had broader authority to acquire lands outside of the existing National Forest boundary where needed to fulfill the objectives of the Land and Resource Management Plan for the Ouachita National Forest.

In order to provide such authority within S. 2571, we recommend adding a new paragraph (d) to Section 18 as follows:

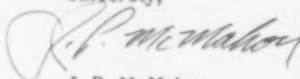
"(d) — Additional Lands — Notwithstanding the limitations contained in section 7(a) (10) of the Land and Water Conservation Fund Act of 1965, the Secretary of Agriculture may acquire by purchase, exchange, donation or otherwise any right, title, and interest in lands in LeFlore County, Oklahoma, which are outside the boundaries of the Ouachita National Forest. No such right, title or interest may be acquired without the consent of the owner thereof. All lands and interests therein acquired under this subsection shall be administered by the Secretary of Agriculture in accordance with the Act of March 1, 1911, commonly referred to as the Weeks Act (36 Stat. 961) and in accordance with the laws, rules and regulations generally applicable to units of the National Forest system. The Secretary of Agriculture shall extend the boundaries of the Ouachita National forest to include such lands."

The Honorable Wyche Fowler, Jr.
September 9, 1988
Page 3

This authority is consistent with HR 4354 and will enable the Forest Service to selectively acquire lands outside the present National Forest boundary to both enhance attainment of multiple-use objectives, and to help maintain an annual timber sales program to benefit mills and communities dependent on production of timber from the Ouachita National Forest.

We very much appreciate the opportunity to comment on S. 2571 and hope that our recommendations are useful in developing legislation that will increase the recreational opportunities on the Ouachita National Forest, while at the same time maintaining a stable and predictable supply of timber from this important National Forest.

Sincerely,



J. P. McMahon
Vice-President,
Timberlands

JPM:cf01/d109/e2

cc: F. Dale Robertson, Chief,
U. S. Forest Service

ARCO Oil and Gas Company
Post Office Box 2819
Dallas, Texas 75221
Telephone 214 880 4217



James M. Davis
Vice President
Western Exploration Operations

September 23, 1988

The Honorable Wyche Fowler, Jr.
Chairman
Subcommittee on Agricultural Research, Conservation,
Forestry, and General Legislation
Committee on Agriculture, Nutrition, and Forestry
United States Senate
Washington, DC 20510

Dear Mr. Chairman:

Atlantic Richfield Company submits herewith our statement on S. 2571, the proposed "Winding Stair Mountain National Recreation and Wilderness Area Act," and respectfully requests that it be incorporated in the record of your Subcommittee's September 7, 1988 hearing on this issue.

Please contact me should you need further clarification of our views or additional information in this regard.

Sincerely yours,

James M. Davis

JMD:DRC:dkm

Enclosure

STATEMENT OF
ATLANTIC RICHFIELD COMPANY
ON S. 2571, PROPOSED
"WINDING STAIR MOUNTAIN NATIONAL
RECREATION AND WILDERNESS AREA ACT"
FOR THE HEARING RECORD
SEPTEMBER 7, 1988 HEARING
SUBCOMMITTEE ON AGRICULTURAL RESEARCH, CONSERVATION,
FORESTRY, AND GENERAL LEGISLATION
COMMITTEE ON AGRICULTURE, NUTRITION, AND FORESTRY
UNITED STATES SENATE
WASHINGTON, DC

Atlantic Richfield Company (ARCO) submits the following statement, presenting our views on S. 2571, the proposed "Winding Stair Mountain National Recreation and Wilderness Area Act," and respectfully requests that it be incorporated in the record of the September 7, 1988 hearing before the Subcommittee on Agricultural Research, Conservation, Forestry, and General Legislation of the Senate Agriculture, Nutrition, and Forestry Committee.

ARCO has carefully reviewed this legislative proposal to designate certain lands in the Ouachita National Forest in LeFlore County, Oklahoma, as components of the National Wilderness Preservation system and to afford certain nearby lands special management protection short of wilderness designation. We recognize the special nature of these lands and generally endorse special management protection for them, so long as compatible multiple land uses are not unduly inhibited. The resource potential of these lands, and its possible contribution to significant improvement in the generally depressed economy of southern LeFlore County, Oklahoma, should not be overlooked in these well-meaning efforts to protect unique surface scenic and wildlife values.

Our continuing geologic studies of this area indicate that certain lands which would be afforded special management protection by this proposal are prospective for the discovery of commercial accumulations of oil and natural gas. In light of the Nation's dwindling domestic oil and gas reserve base and our rapidly increasing import dependence, ARCO urges that exploration and, if successful, development and production of the petroleum potential of these lands not be prohibited by this legislation or its implementation. Rather, we believe that these activities should be allowed to proceed, so long as they are conducted in ways compatible with the aesthetic, wildlife, and recreational values the creation of these areas is designed to protect. In most cases, modern petroleum exploration and production technology affords the means to reap the economic and energy security benefits of these resources without noticeable effect on surface aesthetics. Furthermore, the Forest Service has extensive experience and demonstrated capability in the

design and enforcement of lease and permit stipulations and conditions which assure compatible exploration and production operations. Accordingly, we believe that any legislated prohibition on petroleum exploration and development of these lands would be both unwarranted and terribly shortsighted.

ARCO appreciates your consideration of our views on this important issue.

S. 2571

IN THE SENATE OF THE UNITED STATES

Mr. NICKLES (for himself and Mr. BOBEN) introduced the following bill; which was read twice and referred to the Committee on Agriculture, Nutrition, and Forestry

A BILL

To designate certain National Forest System lands in the State of Oklahoma for inclusion in the National Wilderness Preservation System, create the Winding Stair Mountain National Recreation and Wilderness Area, and for other purposes.

1 *Be it enacted by the Senate and House of Representa-*
2 *tives of the United States of America in Congress assembled,*
3 That this Act may be referred to as the "Winding Stair
4 Mountain National Recreation and Wilderness Area Act".

FINDINGS AND PURPOSES

6 SEC. 2. (a) The Congress finds that—

1 (1) select areas of undeveloped National Forest
2 System lands in the State of Oklahoma possess out-
3 standing natural characteristics which give them high
4 values as wilderness and will, if properly preserved,
5 contribute as an enduring resource of wilderness for
6 the benefit of the American people;

7 (2) the Department of Agriculture's second road-
8 less area review and evaluation (Rare II) and other
9 studies of National Forest System lands in the State of
10 Oklahoma and the related congressional review of such
11 lands have identified areas which, on the basis of their
12 landform, ecosystem, associated wildlife, and location,
13 will help to fulfill the National Forest System's share
14 of a quality National Wilderness Preservation System;

15 (3) the Department of Agriculture's second road-
16 less area review, evaluation, of National Forest System
17 lands in the State of Oklahoma and the related con-
18 gressional review of such lands have also identified
19 areas which do not possess outstanding wilderness at-
20 tributes or which possess outstanding energy, mineral,
21 timber, grazing, dispersed recreation and other values,
22 and which should not now be designated as compo-
23 nents of the National Wilderness Preservation System
24 but should be available for nonwilderness multiple uses

1 under the land management planning process and other
2 applicable laws;

3 (4) many areas of the Ouachita National Forest
4 possess qualities that can only be expressed and uti-
5 lized in such a manner that designation of such areas
6 as a national recreation area is appropriate for the
7 maximum potential and enjoyment of the area by the
8 American people;

9 (5) select areas possess unique plant and tree spe-
10 cies and plant communities that are significant in their
11 occurrence, variety and location to be designated botan-
12 ical areas; and

13 (6) select areas possess unique scenic and wildlife
14 qualities that designation of such areas as a national
15 scenic and wildlife area is appropriate for the preserva-
16 tion of the natural beauty and wildlife habitat for the
17 enjoyment of the American people.

18 (b) The purposes of this Act are to—

19 (1) designate certain National Forest System
20 lands in the State of Oklahoma as components of the
21 National Wilderness Preservation System, in order to
22 promote, perpetuate, and preserve the wilderness char-
23 acter of the lands, protect watersheds and wildlife
24 habitat, preserve scenic and historic resources, and
25 promote scientific research, primitive recreation, soli-

1 tude, physical and mental challenge, and inspiration for
2 the benefit of all the American people, to a greater
3 extent than is possible in the absence of wilderness
4 designation; and to ensure that certain other National
5 Forest System lands in the State of Oklahoma be
6 available for nonwilderness multiple uses; and

7 (2) designate certain National Forest System
8 lands in the State of Oklahoma as national recreation
9 area, botanical area, and national scenic and wildlife
10 area in order to enhance and further certain natural re-
11 sources characteristics.

12 ADDITIONS TO NATIONAL WILDERNESS PRESERVATION
13 SYSTEM

14 SEC. 3. In furtherance of the purposes of the Wilderness
15 Act of 1964 (78 Stat. 890, 16 U.S.C. 1131 et seq.) the fol-
16 lowing lands in the State of Oklahoma are hereby designated
17 as wilderness and, therefore, as components of the National
18 Wilderness Preservation System:

19 (1) certain lands in the Ouachita National Forest,
20 Oklahoma, which comprise approximately four thou-
21 sand five hundred and twenty three acres, as generally
22 depicted on a map entitled "Black Fork Mountain
23 Wilderness—Proposed", dated March 1988, and which
24 shall be known as the Black Fork Mountain Wilder-
25 ness; and

1 (2) certain lands in the Ouachita National Forest,
2 Oklahoma, which comprise approximately nine thou-
3 sands three hundred and seventy-one acres, as general-
4 ly depicted on a map entitled "Upper Kiamichi River
5 Wilderness—Proposed", dated March 1988, and which
6 shall be known as the Upper Kiamichi River Wilder-
7 ness.

8 MAPS AND DESCRIPTIONS

9 SEC. 4. (a) As soon as practicable after this Act takes
10 effect, the Secretary of Agriculture shall file the maps re-
11 ferred to in section 3 of this Act and legal descriptions of
12 each wilderness area designated by section 3 of this Act with
13 the Committee on Energy and Natural Resources, United
14 States Senate, and the Committee on Interior and Insular
15 Affairs, House of Representatives, and each such map and
16 legal description shall have the same force and effect as if
17 included in this Act: *Provided*, That correction of clerical and
18 typographical errors in such legal descriptions and maps may
19 be made. Each such map and legal description shall be on file
20 and available for public inspection in the Office of the Chief of
21 the Forest Service, Department of Agriculture.

22 (b) Subject to valid existing rights, each wilderness area
23 designated by section 3 of this Act shall be administered by
24 the Secretary of Agriculture in accordance with the provi-
25 sions of the Wilderness Act of 1964 governing areas desig-
26 nated by that Act as wilderness areas, except that with re-

1 spect to any area designated in section 3 of this Act, any
2 reference in such provisions to the effective date of the
3 Wilderness Act of 1964 shall be deemed to be a reference to
4 the effective date of this Act.

5 WILDERNESS REVIEW CONCERNS

6 SEC. 5. (a) The Congress finds that—

7 (1) the Department of Agriculture has completed
8 the second roadless area review and evaluation pro-
9 gram (Rare II); and

10 (2) the Congress has made its own review and ex-
11 amination of National Forest System roadless areas in
12 Oklahoma and of the environmental impacts associated
13 with alternative allocations of such areas.

14 (b) On the basis of such review, the Congress hereby
15 determines and directs that—

16 (1) without passing on the questions of the legal
17 and factual sufficiency of the Rare II Final Environ-
18 mental Impact Statement (dated January 1979) with
19 respect to National Forest System lands in States
20 other than Oklahoma, such statement shall not be sub-
21 ject to judicial review with respect to National Forest
22 System lands in the State of Oklahoma;

23 (2) with respect to the National Forest System
24 lands in the State of Oklahoma which were reviewed
25 by the Department of Agriculture in the second road-
26 less area review and evaluation (Rare II) and those

1 lands referred to in subsection (d), that review and
2 evaluation or reference shall be deemed for the pur-
3 poses of the initial land management plans required for
4 such lands by the Forest and Rangeland Renewable
5 Resources Planning Act of 1974, as amended by the
6 National Forest Management Act of 1976, to be an
7 adequate consideration of the suitability of such lands
8 for inclusion in the National Wilderness Preservation
9 System and the Department of Agriculture shall not be
10 required to review the wilderness option prior to the
11 revision of the plans, but shall review the wilderness
12 option when the plans are revised, which revisions will
13 ordinarily occur on a ten-year cycle, or at least every
14 fifteen years, unless, prior to such time the Secretary
15 of Agriculture finds that conditions in a unit have sig-
16 nificantly changed;

17 (3) areas in the State of Oklahoma reviewed in
18 such final environmental statement or referenced in
19 subsection (d) and not designated wilderness upon en-
20 actment of this Act shall be managed for multiple use
21 in accordance with land management plans pursuant to
22 section 6 of the Forest and Rangeland Renewable Re-
23 sources Planning Act of 1974, as amended by the Na-
24 tional Forest Management Act of 1976: *Provided*, That
25 such areas need not be managed for the purpose of

1 protecting their suitability for wilderness designation
2 prior to or during revision of the initial land manage-
3 ment plans;

4 (4) in the event that revised land management
5 plans in the State of Oklahoma are implemented pursu-
6 ant to section 6 of the Forest and Rangeland Renew-
7 able Resources Planning Act of 1974, as amended by
8 the National Forest Management Act of 1976, and
9 other applicable law, areas not recommended for wil-
10 derness designation need not be managed for the pur-
11 pose of protecting their suitability for wilderness desig-
12 nation prior to or during revision of such plans, and
13 areas recommended for wilderness designation shall be
14 managed for the purpose of protecting their suitability
15 for wilderness designation as may be required by the
16 Forest and Rangeland Renewable Resources Planning
17 Act of 1974, as amended by the National Forest Man-
18 agement Act of 1976, and other applicable law; and

19 (5) unless expressly authorized by Congress, the
20 Department of Agriculture shall not conduct any fur-
21 ther statewide roadless area review and evaluation of
22 National Forest System lands in the State of Oklahoma
23 for the purpose of determining their suitability for in-
24 clusion in the National Wilderness Preservation
25 System.

1 (c) As used in this section, and as provided in section 6
2 of the Forest and Rangeland Renewable Resources Planning
3 Act of 1974, as amended by the National Forest Manage-
4 ment Act of 1976, the term "revision" shall not include an
5 "amendment" to a plan.

6 (d) The provisions of this section shall also apply to:

7 (1) those National Forest System roadless lands in
8 the State of Oklahoma in the Ouachita National Forest
9 which were evaluated in the Rich Mountain and Beech
10 Creek unit plans; and

11 (2) National Forest System roadless lands in the
12 State of Oklahoma which are less than five thousand
13 acres in size.

14 ADJACENT MANAGEMENT

15 SEC. 6. Congress does not intend that designation of
16 wilderness areas in the State of Oklahoma lead to the cre-
17 ation of protective perimeters or buffer zones around each
18 wilderness area. The fact that nonwilderness activities or
19 uses can be seen or heard from areas within the wilderness
20 shall not, of itself, preclude such activities or uses up to the
21 boundary of the wilderness area. Notwithstanding this sec-
22 tion, section 12(b) of this Act regarding the retention and
23 establishment of protective buffer areas or zones along desig-
24 nated trails shall apply to those lands adjacent to the Oua-
25 chita National Trail where the Ouachita National Trail forms

1 the southern boundary of the Upper Kiamichi River Wilder-
2 ness area established under section 3 of this Act.

3 FIRE, INSECT AND DISEASE MANAGEMENT

4 SEC. 7. Nothing in this Act shall preclude such meas-
5 ures which the Secretary, in his discretion, deems necessary
6 in the event of fire, or infestation of insects or disease.

7 WINDING STAIR MOUNTAIN NATIONAL RECREATION AREA

8 SEC. 8. (a) In order to assure the conservation and pro-
9 tection of certain natural, scenic, historic, pastoral, and fish
10 and wildlife values and to provide for the enhancement of the
11 recreational values associated therewith, the Winding Stair
12 Mountain National Recreation Area located in the Ouachita
13 National Forest, Oklahoma, is hereby established.

14 (b) The Winding Stair Mountain National Recreation
15 Area (hereafter referred to as the "recreation area") shall
16 comprise approximately twenty-six thousand four hundred
17 and forty-five acres as generally depicted on the map entitled
18 "Winding Stair Mountain National Recreation Area—Pro-
19 posed", dated March 1988, which shall be on file and avail-
20 able for public inspection in the Office of the Chief, Forest
21 Service, Department of Agriculture.

22 (c) The Secretary of Agriculture shall, as soon as practi-
23 cable after the date of enactment of this Act, file a map and a
24 legal description of the recreation area with the Committee
25 on Energy and Natural Resources, United States Senate, and
26 the Committee on Interior and Insular Affairs, House of

1 Representatives, and each such map and legal description
2 shall have the same force and effect as if included in this Act:
3 *Provided*, That correction of clerical and typographical errors
4 in such legal description and map may be made. The map and
5 legal description shall be on file and available for public in-
6 spection in the Office of the Chief of the Forest Service,
7 Department of Agriculture.

8 (d) The Secretary shall administer the recreation area in
9 accordance with the laws, rules and regulations applicable to
10 the national forests in such manner as will best provide for
11 (1) public outdoor recreation; (2) conservation of scenic, natu-
12 ral, historic, and other values contributing to public enjoy-
13 ment; and (3) such management and utilization, of natural
14 resources of federally owned lands within the recreation area
15 which are compatible with and which do not significantly
16 impair the purposes for which the recreation area is estab-
17 lished. The recreation area shall be principally managed for
18 public enjoyment and wildlife.

19 (e) Unevenaged management shall be the management
20 practice administered in the recreation area. The recreation
21 area shall be managed to restore and maintain the natural
22 diversity of multiple species in a variety of age classes. Even-
23 aged management within the recreation area shall be limited
24 to only those situations, such as fires and insect and disease
25 infestations, where the removal of dead and/or dying trees

1 and subsequent reforestation are desirable to rapidly restore
2 the scenic qualities of the affected areas. Any timber sales
3 shall be designed so as to not detract from the scenic values
4 of the recreation area. Management practices that would de-
5 tract from the scenic quality and natural beauty within view
6 from the Talimena Drive or the Holson Valley Road shall
7 not be conducted in the recreation area.

8 BOTANICAL AREAS

9 SEC. 9. In furtherance of the purposes of this Act, the
10 following lands in the State of Oklahoma are designated as
11 botanical areas. In order to protect these areas which contain
12 unique plant species and plant communities that are signifi-
13 cant in their occurrence, variety and location, no vegetative
14 manipulation will occur except that which is necessary for
15 the protection, enhancement or interpretation of the area and
16 its resources:

17 (1) Certain lands in the Ouachita National Forest,
18 Oklahoma, which comprise approximately eight thou-
19 sand and twenty-six acres as generally depicted on a
20 map entitled "Robert S. Kerr Memorial Arboretum,
21 Nature Center and Botanical Area—Proposed", dated
22 March 1988, which shall be known as the "Robert S.
23 Kerr Memorial Arboretum, Nature Center and Botani-
24 cal Area".

25 (2) Certain lands in the Ouachita National Forest,
26 Oklahoma, which comprise approximately four hundred

1 acres as generally depicted on a map entitled "Beech
2 Creek Botanical Area—Proposed", dated March 1988,
3 which shall be known as the "Beech Creek Botanical
4 Area".

5 (3) The Secretary of Agriculture shall, as soon as
6 practicable after the date of enactment of this Act, file
7 a map and a legal description of the botanical areas
8 with the Committee on Energy and Natural Resources,
9 United States Senate, and the Committee on Interior
10 and Insular Affairs, House of Representatives, and
11 each such map and legal description shall have the
12 same force and effect as if included in this Act: *Provid-*
13 *ed*, That correction of clerical and typographical errors
14 in such legal description and map may be made. The
15 map and legal description shall be on file and available
16 for public inspection in the Office of the Chief of the
17 Forest Service, Department of Agriculture.

18 (4) The Secretary shall administer the botanical
19 areas in accordance with the laws, rules and regula-
20 tions applicable to areas such as these in the national
21 forests. Mechanized cutting for trail building and ap-
22 propriate actions for improved trails shall be allowed.
23 Improvements and expansion of roads and facilities
24 shall be permitted in the vicinity of the Robert S. Kerr

1 Nature Center. Timber harvesting of any kind shall be
2 prohibited.

3 NOMENCLATURE

4 SEC. 10. In order to provide for universal identification
5 and association the wilderness areas, national recreation
6 area, and botanical areas designated in this bill shall be
7 known as the Winding Stair Mountain National Recreation
8 and Wilderness Area of which twenty-six thousand four hun-
9 dred and forty-five acres are designated national recreation
10 area, and twenty-two thousand three hundred and twenty
11 acres are designated as wilderness and botanical areas.

12 INDIAN NATIONS NATIONAL SCENIC AND WILDLIFE AREA

13 SEC. 11. In furtherance of the purpose of this Act, cer-
14 tain lands in the Ouachita National Forest, Oklahoma, as
15 generally depicted on a map entitled "Indian Nations Nation-
16 al Scenic and Wildlife Area—Proposed", dated March 1988,
17 shall be administered by the Secretary principally for aesthet-
18 ics and wildlife.

19 (1) The Secretary of Agriculture shall, as soon as
20 practicable after the date of enactment of this Act, file
21 a map and a legal description of the national scenic
22 and wildlife area with the Committee on Energy and
23 Natural Resources, United States Senate, and the
24 Committee on Interior and Insular Affairs, House of
25 Representatives, and each such map and legal descrip-
26 tion shall have the same force and effect as if included

1 in this Act: *Provided*, That correction of clerical and
2 typographical errors in such legal description and map
3 may be made. The map and legal description shall be
4 on file and available for public inspection in the Office
5 of the Chief of the Forest Service, Department of
6 Agriculture.

7 (2) The Secretary shall administer the Talimena
8 Drive and Holson Valley Road areas in the Indian Na-
9 tions National Scenic and Wildlife Area of the Winding
10 Stair Mountain National Recreation and Wilderness
11 Area within the Ouachita National Forest in LeFlore
12 County, Oklahoma, principally for aesthetics, to pre-
13 serve the natural beauty of these areas for future gen-
14 erations, and wildlife, to improve habitat and further
15 hunting, fishing and trapping opportunities. These
16 areas shall be managed to restore and maintain the
17 natural diversity of multiple species in a variety of age
18 classes. Management practices that would detract from
19 the scenic quality and natural beauty shall not be al-
20 lowed in the Indian Nations National Scenic and Wild-
21 life Area as viewed from any location on the Talimena
22 Drive and Holson Valley Road Areas. This primary
23 aesthetic zone, as illustrated on a map, constitutes the
24 boundary for visual limitation prohibitions and shall be
25 managed with unevenaged management unless irregu-

ADVISORY COMMITTEE

TIMBER MANAGEMENT

S 2571 IS

1 scattered clumps of mass producing hardwoods within the re-
2 generation areas at a minimum ratio of 10-20 per centum of
3 basal area per acre and an appropriate number of den trees
4 shall be maintained. Stands shall be managed to maintain the
5 natural species ratio of those stands in a variety of age
6 classes.

7 (b) Within the Ouachita National Forest in LeFlore
8 County, protective buffer areas or zones shall be retained and
9 established along—streams, creeks, rivers, and other bodies
10 of water to meet water quality standards and wildlife require-
11 ments; officially designated State and Federal highways and
12 paved county roads technical to protect and enhance their
13 scenic values; designated trails to provide adequate aesthetics
14 protection and allow for wildlife travel corridors. Clearcutting
15 shall not be permitted in the buffer areas or zones and any
16 unevenaged management activities employed in these areas
17 shall employ harvesting methods which meet water quality
18 and wildlife requirements. The Secretary shall consult and
19 cooperate with the local advisory committee established
20 under section 12 of this Act to define and determine the di-
21 mensions of protective buffer areas or zones necessary to
22 meet the objectives of this subsection.

23 PLANNING

24 SEC. 14. (a) The Secretary shall develop an amendment
25 to the Ouachita National Forest land and resource manage-
26 ment plan regarding the wilderness areas, the national botan-

1 ical areas, the national recreation area and the national
2 scenic and wildlife area designated by this Act. The amend-
3 ment shall further the purposes for these areas as specified in
4 this Act and shall be developed in accordance with the
5 provisions of the National Forest Management Act, including
6 provisions for public involvement. The Secretary shall con-
7 sult with the local advisory committee established under sec-
8 tion 12 of this Act regarding the development and implemen-
9 tation of the amendment required under this subsection.

10 (b) The amendment shall include a section with provi-
11 sions to promote tourism and outdoor recreation in ways
12 consistent with the purposes for which these areas are
13 designated.

14 (c) There are hereby authorized to be appropriated not
15 to exceed \$15,000,000 for the development and implementa-
16 tion of the amendment.

17 (d) The Secretary is authorized and encouraged to enter
18 into cooperative agreements with the Oklahoma Department
19 of Tourism and Recreation, the Oklahoma Department of
20 Wildlife Conservation, and local nonprofit entities, as appro-
21 priate, to assist in the development and implementation of the
22 amendment required under subsection (a). The Secretary is
23 directed to enter into a cooperative agreement with the Okla-
24 homa Department of Tourism and Recreation to assist in the

GRAZING

HUNTING, FISHING, AND TRAPPING

PERMITS

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1 and Wilderness Area. The Secretary is authorized and en-
2 couraged to seek local nonprofit entities in issuing permits for
3 the purpose of helping to implement the findings of section 13
4 of this Act.

5 LAND ACQUISITION

6 SEC. 18. (a) The Secretary is authorized to acquire by
7 donation, purchase with donated or appropriated funds in-
8 cluding those from the Land and Water Conservation Fund,
9 exchange, or bequest, any lands or lesser interests therein,
10 which the Secretary determines are needed to establish and
11 manage the Winding Stair Mountain National Recreation and
12 Wilderness Area.

13 (b) In exercising the authority conferred by this section
14 to acquire lands, the Secretary shall give prompt and careful
15 consideration to any offer made by an individual owning any
16 land, or interest in land, within the Winding Stair Mountain
17 National Recreation and Wilderness Area. In considering
18 any such offer, the Secretary shall take into consideration
19 any hardship to the owner which might result from any
20 undue delay in acquiring the property. Purchases made under
21 this authority shall be made on a willing buyer, willing seller
22 basis.

23 (c) The Secretary or his agent may acquire sites at loca-
24 tions outside such boundaries of the Winding Stair Mountain
25 National Recreation and Wilderness Area, as he determines
26 necessary, for visitor orientation and the establishment of a

1 lodge and additional facilities to enhance the quality of the
2 area.

3

ACREAGES

4 SEC. 19. The acreage cited in this Act is approximate
5 and in the event of discrepancies between cited acreage and
6 the lands depicted on reference maps, the maps shall control.

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